

Approved

Date 4-11-85

MINUTES OF THE HOUSE COMMITTEE ON AGRICULTURE AND SMALL BUSINESS

The meeting was called to order by Lloyd D. Polson at
Chairperson

9:00 a.m. on March 27, 1985 in room 423-S of the Capitol.

All members were present except:

Committee staff present:

Raney Gilliland, Legislative Research Department
Norman Furse, Revisor of Statutes Office
Mary Jane Holt, Committee Secretary

Conferees appearing before the committee:

Dr. Larry Claypool, Mid-America Dairymen, Inc. Omaha, Nebr.
Ruthann Roepke, Kansas Dietetic Association and School Food Service
Harlan Page, Dairy farmer
Howard Tice, Kansas Association of Wheat Growers
John Blythe, Kansas Farm Bureau

Hearing on S.B. 165 - Minimum amounts of milk solids not fat in certain
milk products

Raney Gilliland reviewed the bill.

Dr. Claypool testified they support S.B. 165 and believes the bill serves both the interests of consumers and dairymen, (Attachment A). He distributed copies of a statement by Robert P. Heaney, M. D. supporting the proposed increase of the solids content in various kinds of milk which would increase the calcium content, as well. (Attachment B) He further proposed adding, when offered for sale in final package form, in Section 1 and in paragraph 4. and amending Section 3 to read--This act shall take effect when all states contiguous to the borders of the State of Kansas, have in effect milk content requirements similar to those requirements created by this act. (Attachment C)

Ruthann Roepke testified in favor of S.B. 165, (Attachment D). She handed out copies of the testimony of Sue Grieg, R.D., (Attachment E), in support of the bill.

Harlan Page presented testimony in favor of S.B. 165.

There being no other proponents or opponents present, the Chairman closed the hearing on S.B. 165.

Hearing on SCR 1601 - Requesting the United States Department of Agriculture change current grades for grain, Re: Proposal No. 1.

Howard Tice stated SCR 1601 is one step in solving the problems facing agriculture, and that higher federal grain inspection service standards would insure clean grain would be made available at a competitive price. He also handed out an article from the High Plains Journal concerning dirty grain being exported. (Attachment F)

John Blythe informed the Committee the Kansas Farm Bureau strongly supports the development of new, more realistic grain standards to replace the present United States Grain Standards Act, (Attachment G).

The Chairman closed the hearing on SCR 1601.

CONTINUATION SHEET

MINUTES OF THE HOUSE COMMITTEE ON AGRICULTURE AND SMALL BUSINESS,
room 423-S, Statehouse, at 9:00 a.m./~~p.m.~~ on March 27, 19 85

Representative Hamm moved to amend Section 1 and paragraph 4 to include, when offered for sale in final package form. Representative Teagarden seconded the motion. After Committee consideration, Representative Hamm amended his motion to include, for beverage use. Representative Teagarden seconded the amended motion. The motion passed.

Representative Hamm moved to amend paragraph (5) to substitute "substantially the same" for the word "identical". Representative Neufeld seconded the motion. After discussion, the motion was changed to substitute for the word "identical" in paragraph (5), page 2, the word "similar". The motion passed.

A motion was made by Representative Hamm to pass out favorably S.B. 165, as amended. The motion was seconded by Representative Neufeld, and the motion carried.

Representative Apt moved to pass out favorably SCR 1601. Representative Teagarden seconded the motion. The motion passed.

The Committee meeting was adjourned at 9:55 a.m.

The next meeting will be at 9:00 a.m., Thursday, March 28, 1985, in Room 423-S.

Senate Bill 165 proposes to increase the minimum solids-not-fat content for milk, lowfat milk, and skim milk. The solids-not-fat content of milk is the sum total of the protein, minerals (such as calcium, phosphorous, etc.), vitamins and lactose.

Senate Bill 165 serves the interests of both consumers and dairymen of Kansas.

BENEFITS TO BE EXPERIENCED BY CONSUMERS

Provides a Uniform Product

Presently the solids-not-fat content of pasteurized milk is not standardized thereby resulting in products being marketed to the consumer which vary greatly. At any point in time variation can be observed from store to store with additional variation occurring with the season of the year. Studies conducted by the Federal Market Administration have shown the solids-not-fat to vary from a low of 7.63% to a high of 9.48%. Such variation significantly impacts upon the taste and nutritional properties of a glass of milk.

Senate Bill 165 would cause processors to standardize the solids-not-fat content of milk by utilizing Grade A nonfat dry milk or Grade A condensed skim milk and thereby provide products which are uniform in composition throughout the state and likewise be uniform throughout the year.

Provides a More Nutritious Product

The standardization of the solids-not-fat content as required by Senate Bill 165 would result in a significant increase in the nutritional value of milk, lowfat milk and skim milk.

The summary below describes the % increase which would be associated with the standardization of the solids-not-fat content of milk.

	<u>Average Solids Not Fat Content of Raw Milk</u>	<u>Solids-Not-Fat by S.B. 165</u>	<u>Amount of Nutritional Improvement</u>
Milk	8.56%	8.7%	1.5%
Lowfat Milk	8.71%	10.0%	14.8%
Skim	8.73%	9.0%	3.0%

Provide a Product which is Preferred by Taste

Consumer research and the marketing of milk in California wherein solids-not-fat are standardized as required in Senate Bill 165 have shown that consumers prefer milk products with the higher standardized solids-not-fat content.

3/27/85
Attachment A

BENEFITS TO BE EXPERIENCED BY KANSAS DAIRYMEN

Marketing of a Product with Improved Acceptance

The primary benefit to Kansas Dairymen would be the marketing of milk in a form which is more uniform in composition, higher quality, and possesses a higher nutritional value; thereby creating the opportunity to market more milk.

Provides the Foundation for Component Pricing

Senate Bill 165 establishes a recognition for the economic value for the solids-not-fat content of milk. Dairymen favor a revision of present marketing procedures which establish the value for milk on the basis of only the total pounds of milk and pounds of milkfat contained in milk. The standardization of the solids-not-fat content in packaged pasteurized milk would cause a third economic factor to be included, a value for the solids-not-fat content of milk.

Provides Additional Market for Milk

Senate Bill 165 would cause more milk to be marketed; however, the real impact will not be from the added solids required for standardization but rather the increased consumption due to the improved quality.

ECONOMIC IMPACT RESULTING FROM STANDARDIZATION

The added solids-not-fat required for standardization will only slightly increase the cost of milk to the consumer. The cost for the added nonfat milk solids required for the standardization is calculated to be:

	<u>Additional Cost Per Gallon</u>
Milk	\$.0111
Lowfat Milk	\$.1022
Skim Milk	\$.0210

EFFECT OF PRICE INCREASE UPON CONSUMPTION

Various studies have indicated that the decreased consumption due to the increased price would be slight if any at all. Studies at Purdue and Virginia Polytechnic Institute indicate that a 1% increase in price could result in as little as 0.1% decrease in consumption to no more than .55%, assuming all factors remained constant. Dairymen are increasing their investments in promotional programs which should cause consumption of the standardized product

to increase rather than decrease even though a few extra cents per gallon were charged for the product.

LLC/srw

STATEMENT OF ROBERT P. HEANEY, M.D.

In support of Senate Bill 165

Committee on Agriculture

Kansas State Legislature

Session of 1985

My name is Robert P. Heaney. I am a physician, a medical scientist, and a faculty member at Creighton University in Omaha, Nebraska. I have devoted my research for the past 30 years to the problems of human bone disease, and have given special emphasis to the disorder known as osteoporosis, a common problem which causes most of the fractures in the elderly. I have written a book and well over 100 scientific articles on this topic and have recently been the chairperson for several national committees and commissions evaluating the impact of nutritional factors on bone health in the elderly. Osteoporosis is predominantly a problem of women, but it does affect men as well. It is estimated that osteoporosis cost this nation \$3.8 billion in 1983. It not only cripples, but it kills, too: about one-sixth of all hip fracture patients die as a result of their injury.

I will concentrate these remarks on the matter of calcium intake. There is increasing conviction among the scientific community that inadequate calcium intake is a principal factor predisposing to osteoporosis. There is now a substantial body of evidence which indicates that calcium intake ought to be kept at high levels throughout life. The National Institutes of Health of the U.S. Public Health Service last April convened one of a series of Consensus Conferences on the problem of osteoporosis in the U.S. These conferences attempt to translate the results of

scientific progress into practical applications and to make them promptly available to the general public. The consensus of the panel of experts assembled for this purpose was that women in their middle years should eat a diet containing 1000 mg calcium per day if they still have female hormones, and 1500 mg per day if they do not (that is if they are past menopause and are not receiving female hormones from their personal physicians). This recommendation represents a substantial increase above the current Recommended Dietary Allowance of 800 mg per day for all adult women. It reflects the growing realization that it is important for bone health to maintain adequate calcium intake throughout life.

Next I should like to call your attention to what calcium consumption really is in the United States. The U.S. Public Health Service has twice surveyed calcium intake by women throughout the United States in studies known as the Health and Nutrition Examination Surveys, I and II. The first study was performed in 1971 through 1974 and the second from 1976 through 1980. Thousands of persons were polled, men and women, young and old, rich and poor, black and white, rural and urban. Figure 1 shows the median calcium intake for all women in the United States, at all ages, in each of these studies. (The horizontal line represents the 1980 Recommended Dietary Allowance of 800 mg per day for adults and 1200 mg per day for adolescents.) You will note that from age 12 onwards women in this country fall far short of even those relatively modest recommendations. Their intakes are not even remotely close to the new, higher recommendations that I just cited. Many scientists feel that this lifelong, low calcium intake among American women represents a ticking time bomb which will someday explode in the form of innumerable hip fractures and other broken bones in the elderly.

One of the reasons why our calcium intake is less than it might be (and once was)

is the fact that we eat less food today than we did in the past. The United States Department of Agriculture, in its periodic Nationwide Food Consumption Surveys, notes that total caloric intake in women in their middle years fell by 10% from 1965 to 1977. This is a quite remarkable change in just 12 years, and it reflects a long-term, much larger trend. Intake is less because we burn fewer calories, and we burn fewer calories because we work less hard. We drive more and walk less. We have more labor-saving devices. Being weight conscious, we then have to watch how much we eat. I don't realistically feel we can change that, but at least we need to be aware of what is happening so that we can adapt to it. Eating less, we get not only fewer calories but less calcium as well. It seems important, therefore, to take steps which will increase the concentration of calcium in the foods we do eat. As you know, dairy products are the principal source of calcium in the modern American diet. (My concern for ensuring adequate calcium intake explains my appearing before this Agriculture committee in connection with a bill dealing with milk standardization.)

This matter of concentration of important substances in our foods is something that nutritionists call "nutrient density." If we are to maintain health while at the same time decreasing total food intake, then we need to take steps to insure a higher nutrient density in the foods we do eat. We recognize, for example, that a woman in her middle years has great difficulty obtaining enough iron to maintain healthy blood, and thus some form of iron fortification or supplementation is common in our society. I understand that many of our 50 states have fortification standards for iron in white bread. Further, we recognize that, left to their own devices, many persons will not get enough vitamins A and D. So we fortify milk in the United States with A and D. We recognize that an average diet would not provide enough iodine to maintain healthy thyroid function, and so for many years we have fortified

salt with iodine. And many communities, as you know, have chosen to fortify the drinking water with fluoride because of the dental benefit this produces.

Senate Bill 165, because it proposes to increase the solids content of various kinds of milk, will increase the calcium content as well. It is not a very large change in each instance, but it is in the right direction, and, for the reasons I have discussed, it will produce a health benefit for the citizens of Kansas. As has been pointed out to you in other testimony, the largest increase in the nutrient content of the milk will occur in the low fat categories. This is precisely the type of beverage where the weight-conscious adult is most likely to place his or her emphasis. Further, the proposed change in the solids content of skim milk, in addition to its nutritional effect, may well improve its palatability as well. Many weight-conscious persons avoid whole milk because of its fat content and, since they often don't like the "mouth feel" of skim milk, many tend to avoid milk as a beverage entirely. Thus the proposed change could get some weight-conscious persons to drink milk who might otherwise not have done so.

Thus, while it will not, all by itself, solve the country's calcium deficiency problem, Senate Bill 165 can be expected to produce a worthwhile and important bone health benefit for an increasingly elderly population.

Thank you.

FEB 11 1985

Session of 1985

SENATE BILL No. 165

By Committee on Agriculture

2-6

0017 AN ACT concerning dairy products; relating to the components
0018 of milk; amending K.S.A. 1984 Supp. 65-707 and repealing the
0019 existing section.

0020 *Be it enacted by the Legislature of the State of Kansas:*

0021 Section 1. K.S.A. 1984 Supp. 65-707 is hereby amended to
0022 read as follows: 65-707. (a) (1) Whole milk is the lacteal secretion
0023 obtained by the complete milking of one or more healthy cows,
0024 properly fed and kept, excluding that obtained within 15 days
0025 before and five days after calving, and when offered for sale must
0026 contain not less than 3.25% of butterfat *and not less than 8.7% of*
0027 *milk solids not fat.*

0028 (2) Milk for manufacturing purposes may contain less than
0029 3.25% of butterfat, but must be delivered pure, sweet and clean.

0030 (3) For the purposes of this act, skim milk or skimmed milk
0031 shall be considered to be milk from which a sufficient portion of
0032 the butterfat has been removed to reduce its butterfat content to
0033 less than .5% .25% *and which in final package form for beverage*
0034 *use contains not less than 9% of milk solids not fat for a total of*
0035 *not less than 9.25% of total milk solids.*

0036 (4) Lowfat milk is milk from which a sufficient portion of the
0037 ~~butterfat has been removed to reduce its butterfat content to not~~
0038 ~~less than .5% and not more than 2% milkfat has been removed to~~
0039 ~~result in milk which in final package form for beverage use~~
0040 ~~either (A) has a milkfat content of 1%, within the limits of good~~
0041 ~~manufacturing practices, and contains not less than 10% of milk~~
0042 ~~solids not fat or (B) has a milkfat content of 2%, within the~~
0043 ~~limits of good manufacturing practices, and contains not less~~
0044 ~~than 10% of milk solids not fat.~~

0045 (5) As used in this subsection, "milk solids not fat" includes

Amend Section 1 to read as follows:

Section 1. K.S.A. 1984 Supp. 65-707 is hereby amended to read as follows: 65-707. (a) (1) Whole milk is the lacteal secretion obtained by the complete milking of one or more healthy cows, properly fed and kept, excluding that obtained within 15 days before and five days after calving, and when offered for sale in final package form for beverage use must contain not less than 3.25% of butterfat and not less than 8.7% of milk solids not fat.

Amend Paragraph (4) to read as follows:

Lowfat milk is milk from which a sufficient portion of the butterfat has been removed to reduce its butterfat content to not less than .5% and not more than 2% milk fat, within the limits of good manufacturing practices and which in final package form for beverage use contains not less than 10% of milk solids not fat.

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ALch. C

Attachment C

5 partially skimmed milk, skim milk, concentrated partially
7 skimmed milk, concentrated skim milk and nonfat dry milk,
9 used alone or in any combination.

9 (b) (1) Cream is that portion of milk rich in butterfat which
0 rises to the surface of the milk on standing or is separated from it
1 by centrifugal force, and contains not less than 18% of butterfat.

2 (2) All cream for manufacturing purposes shall be graded
3 according to the following standards, and each grade shall be
4 kept in a separate container, plainly marked to indicate the grade
5 contained therein: (A) Sweet cream means cream that is clean,
6 smooth, clean to the taste and free from undesirable odors and
7 flavors and contains not more than .2% acid reacting substances,
8 calculated in terms of lactic acid. (B) First-grade cream means
9 cream that is clean, smooth, free from undesirable odors, clean to
0 the taste and sweet or only slightly sour. (C) First-grade cream
1 which is delivered to point of first purchase within four days
2 after date of last sale by any producer, shall be premium cream;
3 and a price differential of not less than \$.03 and not more than
4 \$.05 per pound of butterfat, between premium first-grade cream
5 and other first-grade cream is ~~herewith~~ hereby established and
6 required. (D) Second-grade cream means cream that is too sour
7 to grade as first-grade cream, ~~that~~ contains undesirable flavors or
8 odors in a moderate degree, ~~that~~ is not more than slightly stale; or
9 that is too old to pass as first-grade cream. ~~It shall be unlawful to~~
0 ~~falsely grade cream, or to mix cream of different grades, or to~~
1 ~~offer for sale or purchase for use as human food, unlawful cream~~
2 ~~as herein defined.~~ (E) Unlawful milk or cream shall consist of
3 milk or cream ~~that~~ which is stale, putrid, rancid, moldy, dirty or
4 yeasty, which contains or has contained any foreign matter; or in
5 which ~~has been found~~ insanitary articles or utensils ~~have been~~
6 found, and such milk or cream shall not be purchased, sold or
7 used for food purposes. ~~It shall be~~

8 (3) It is unlawful to falsely grade cream, to mix cream of
9 different grades or to offer unlawful cream, as defined in para-
10 graph (2) of this subsection, for sale or purchase for use as
11 human food. It is unlawful to sell or offer for sale, or ship with
12 the intent of selling, to any purchaser, any milk, cream or other

0083 dairy product that has contained or does contain any foreign
0084 substance that renders the milk, cream or other dairy product
0085 unfit for human food. Persons *who are* engaged in milk or cream
0086 buying, except in the exchange or sale of churning cream be-
0087 tween licensed butter manufacturers, ~~are hereby required, when~~
0088 ~~and who are offered~~ unlawful milk or cream, ~~to~~ shall treat it
0089 sufficiently with venetian red or other coloring matter, which is
0090 approved by the dairy commissioner for this purpose, ~~suffi-~~
0091 ~~ciently~~ to show unmistakably that such milk or cream is unfit to
0092 be used in the manufacture of human food. (3)

0093 (4) No part of any shipment of milk or cream to be used in the
0094 manufacture of food products shall be delivered to a carrier in an
0095 unwholesome condition. (4)

0096 (5) All deliveries of cream by the producer, except direct
0097 shippers and those made on routes picking up cream at least
0098 twice *a each* week, shall be tagged by the buyer of the cream
0099 with a tag showing the date received; and such tags shall remain
0100 on the container until removed by the buyer of the next delivery.
0101 (5)

0102 (6) All cream purchased by cream buying stations or cream
0103 brokerages ~~must~~ shall be shipped to a dairy manufacturing plant
0104 within 48 hours after date of purchase between the dates of May
0105 15 and October 1, and at least twice each week the balance of the
0106 year, at intervals not to exceed four days.

0107 (c) (1) Butter is the product made by gathering, in any man-
0108 ner, the fat of fresh or ripened milk or cream into a mass which
0109 also contains not less than 80% of butterfat or made in accord-
0110 ance with such standards as shall be established by the *United*
0111 *States* department of agriculture ~~of the United States~~, except that
0112 the amount of butterfat in the product of any one manufacturer;
0113 or in any given quantity of butter, shall be determined as here-
0114 inafter provided with reference to renovated or process butter.
0115 Butter may also contain a harmless vegetable coloring matter.

0116 (2) Renovated or process butter is the product *which is* made
0117 by melting butter and reworking, without the addition or use of
0118 chemicals or any substances except milk, cream or salt, and
0119 *which* contains not less than 80% of butterfat; or *which is* made

0120 in accordance with such standards as ~~shall be~~ *are* established by
 0121 the *United States* department of agriculture of the *United States*
 0122 ~~except that~~. The amount of butterfat in the product of any one
 0123 manufacturer, or in any given quantity of butter, renovated or
 0124 process butter, shall be ascertained in the following manner:
 0125 Five samples shall be taken from five different packages of any
 0126 one manufacturer or from any one tub or churning of butter, and
 0127 a careful analysis *shall be* made by the official method adopted
 0128 by the association of agricultural chemists. If this analysis shows
 0129 less than 80% of butterfat, *the* butter or process butter thus
 0130 analyzed shall be deemed adulterated butter, ~~and~~ the manufac-
 0131 turer shall be deemed guilty of a misdemeanor, and the butter
 0132 must be reworked before again being offered for sale. Renovated
 0133 or process butter may also contain a harmless vegetable coloring
 0134 matter.

0135 (d) (1) Cheese is the solid and ripened product made by
 0136 coagulating the casein of milk by means of rennet or acids, with
 0137 or without the addition of ripening ferments or seasoning.
 0138 Cheese may also contain harmless vegetable coloring matter.

0139 (2) Whole milk or full cream cheese is cheese made from
 0140 milk from which no portion of the fat has been removed and
 0141 contains not less than 50% of butterfat in proportion to total
 0142 solids.

0143 (3) Skim milk cheese is cheese made from milk from which
 0144 any portion of the fat has been removed.

0145 (e) It ~~shall be~~ *is* unlawful to sell, keep for sale or offer for sale
 0146 any condensed or evaporated milk, concentrated milk, sweet-
 0147 ened condensed milk, sweetened evaporated milk, sweetened
 0148 concentrated milk, sweetened condensed skimmed milk, sweet-
 0149 ened evaporated skimmed milk or sweetened concentrated
 0150 skimmed milk, which ~~shall~~ *does* not conform at least to the
 0151 minimum standards hereinafter provided. Condensed milk,
 0152 evaporated milk or concentrated milk is the product *resulting*
 0153 *which results* from the evaporation of a considerable portion of
 0154 the water from the whole, fresh, clean milk, and contains, all
 0155 tolerances being allowed for, not less than 25.5% of total solids
 0156 and not less than 7.8% of milk fat. Sweetened condensed milk,

0157 sweetened evaporated milk or sweetened concentrated milk is
 0158 the product *resulting which results* from the evaporation of a
 0159 considerable portion of the water from whole, fresh, clean milk,
 0160 to which sugar (sucrose) has been added. ~~It~~ *and which* contains,
 0161 all tolerances being allowed for, not less than 28% of total milk
 0162 solids, and not less than 8% of milk fat. Condensed skimmed
 0163 milk, evaporated skimmed milk, ~~and~~ *or* concentrated skimmed
 0164 milk is the product *resulting which results* from the evaporation
 0165 of a considerable portion of the water from skimmed milk and
 0166 *which* contains, all tolerances being allowed for, not less than
 0167 20% of milk solids. Sweetened condensed skimmed milk,
 0168 sweetened evaporated skimmed milk ~~and~~ *or* sweetened concen-
 0169 trated skimmed milk is the product resulting from the evapora-
 0170 tion of a considerable portion of the water from skimmed milk, to
 0171 which sugar (sucrose) has been added. ~~It~~ *and which* contains, all
 0172 tolerances being allowed for, not less than 28% of milk solids.
 0173 Sec. 2. K.S.A. 1984 Supp. 65-707 is hereby repealed.
 0174 Sec. 3. This act shall take effect and be in force from and
 0175 after January 1, 1987, and its publication in the statute book.

Amend Section 3 to read as follows:

This act shall take effect when all
 states contiguous to the borders of the
 State of Kansas have in effect milk con-
 tent requirements similar to those
 requirements created by this act.

In Support of SB 165
Senate Agriculture Committee

I am Ruthann Roepke, a registered dietitian representing the Kansas Dietetic Association and School Food Service. Thank you for the opportunity to appear before you to discuss the proposed changes in fluid milk called for in SB 165.

The Kansas Dietetic Association is a non-profit health professional organization. They support SB 165 because it will significantly increase the nutritional contribution of milk in the diets of Kansans.

The basic nutrition philosophy of the Kansas Dietetic Association is to encourage and promote the consumption of a wide variety of nutritious foods in order to maintain optimal health. We encourage individuals to obtain their nutrients from wholesome food. In Kansas, all of us enjoy an abundant array of nutritious foods provided by local farmers and ranchers.

Dietitians provide nutritional expertise in a wide variety of settings. We help to assess individual nutritional requirements. We develop, implement and evaluate the nutritional care of individuals and groups. We manage food and nutrition programs in schools, colleges and universities as well as many other types of food service operations. Dietitians provide reliable nutrition counseling and education to help prevent many health problems and to help cure existing health problems.

As a dietitian, I am employed as a School Food and Nutrition professional and I am particularly interested in the benefits that SB 165 will afford children and young adults.

In the last twenty years, soft drinks and other beverages have increasingly replaced milk in the diets of children, teenagers and young adults. A single half-pint of milk consumed with a school meal could be the only milk a student might consume during the day. Small children do not consume very large

Attachment D
3/27/25

quantities of milk at any given time; often less than one-half pint. Peer pressures among students will often decrease milk consumption and milk selection. Milk is not frequently chosen by children and young adults for their in-between snacks or a meal eaten away from home. A small increase in the nutritional value of the milk which is being consumed would logically be a prudent measure.

Osteoporosis, or brittle bone disease, is commonly identified in individuals later in their life cycle. However, prevention can best be accomplished in the early formative years. The formation of larger, healthier bone mass in the youthful years of one's life has been found through late research to be helpful in fighting bone diseases in later years.

Many girls and young adults perceive milk to be fattening. Calories and weight control have become high-priority concerns for this group of individuals. Enhancing skim and lowfat milks with dried milk solids would have benefits for the calorie conscious. The number of calories in lowfat and skim milk would go up only about 10% while the amount of nutrients provided by the milks would be increased around 15%.

Frequent complaints of the lowfat milks are their watery appearance, mouthfeel, color and flavor. Increasing the dried milk solids in the milks would help solve these existing conditions and would thereby help increase consumption of lowfat and skim milk through increased palatability.

Lowfat milks are not only used in diets to lessen calories, but are used extensively to lower cholesterol consumptions as well. Butterfat found in whole milk is a main contributor of cholesterol in the diets of Kansans.

Currently guar gum, carogeenan and tapioca are added to some lowfat milks to improve palatability. Consumers rightly expect that milk will contain only milk. SB 165 would eliminate the need for such additives.

In conclusion, the major benefits of the proposed changes in SB 165 would be:

1. Significantly increase the calcium, protein, riboflavin and thiamin content of lowfat and skim milk.
2. A particularly important advantage to children and young adults since they are consuming less milk at an alarming rate.
3. Greatly enhance the body, taste, mouthfeel and appearance of lowfat and skim milk, thereby increasing its palatability.
4. To eliminate the need for the addition of non-milk substances such as guar gum, carogeenan and tapioca in the lowfat milks.

Hello,..I am Sue Greig, a registered dietitian and school food service director from Manhattan. I will be speaking to you today primarily from the area of dietetics.

I would like to thank you for the opportunity of appearing before you today to discuss proposed changes in SB 165. I would like to begin with a little background information on what a dietitian does and what our professional organization is. The Kansas Dietetic Association is an affiliate of the American Dietetic Association a non-profit professional organization of 50,000 members. The educational branch sets college level and internship requirements similar to A.M.A. Over 50 percent of these members work in hospitals, about 30 percent in consulting and private practice, 10 percent work in business and industry and about 3 percent in schools and other. Dietitians are specialists who provide nutritional care in a variety of settings. We assess, develop, implement and evaluate nutritional care of individuals and groups and we provide counseling and education to help prevent diet related health problems, to improve health status in existing health problems, and to maintain health.

The basic philosophy of this form of education and treatment is to encourage the consumption of a variety of foods to ensure the correct levels of nutrient intake, (as established by the Food and Nutrition Board, National Academy of Science/ National Research Council).

Dietitians recommend and encourage individuals to obtain their needed nutrients from foods. Many of these foods used in institutions in Kansas come from Kansas farmers. One of the main sources of nutrients of course is milk. Milk does make a significant contribution to all ages. As a practicing dietitian I support SB 165 because it will increase the consumption of nutrients needed for health and growth in Kansas. It will contribute both in the areas of wellness, in treatment to restore health, and in growth promotion in children.

I'm sure your concern is how this legislation will affect Kansas both the producer and consumer.

One of the diseases that could make it impossible for the elderly to remain in their homes is osteoporosis, the debilitating bone disease discussed by Dr. Heaney in his testimony.

Attachment E
3/27/85

The calcium provided by the milk served at nutrition centers is necessary for the elderly to maintain their current bone structure. The elderly need the same nutrients, in some cases in greater quantities than other adults; yet they need fewer calories because of their diminished activities. The provisions of SB 165 will help them obtain milk that tastes better than skimmed or 1% and provide extra nutrients for the amount of calories consumed.

It isn't just the current elderly who would benefit from the provisions of this legislation. Calcium, one of the primary nutrients supplied by milk, is viewed by adults as a mineral needed chiefly by growing children and pregnant or nursing women. It is now the nutrient of most concern. Its role in bone health has been detailed in popular women's magazines, in newspaper articles and on television programs for all ages. Children have two concentrated growth periods in their years between birth and 18 years. The first is birth to age 4. The second is 12 to 18 years. Bone growth is very rapid during these years.

It is important that sufficient calcium be supplied during formative years. Children age 6 months to one year need 360 mg. and from age 1-4 years 800 mg. then it levels off until age 11 to 18 when it jumps to 1200 mg. per day. Calcium is needed in large amounts during these growth periods and never drops below 800 mg. for any age. Calcium has many other functions as controlling excitability of nerves and muscles; blood coagulation, heart function, muscle contractibility and as a cellular cement.

Although osteoporosis has been identified with the elderly it starts in younger years when the proper level of bone mass is developed. Now that people are living for a longer period of time it is even more important.

SB 165 relates directly to these concerns as it would increase the calcium content of lowfat and skim milks, all Kansans whether six or 60, would benefit. And not only would they benefit from the increased calcium -- they would also benefit from the increased protein, lactose, potassium, riboflavin, niacin, thiamin, vitamins B-6 and B-12, folacin, phosphorous, magnesium and zinc content of the product.

Current research at MIT and Cornell University have determined that Vitamins B-6 and B-12 as well as two amino acids also found in milk are necessary for brain development and function. As for the public sector, they are becoming more health conscious. Much information is presented to them through public media on the need for less fat in the diet. Obesity has become recognized as a major health factor in five of the leading causes of death.

Because SB 165 would decrease the percentage of calories which come from fat in whole, lowfat and skim milks, it would allow consumers to comply more easily with such recommendations of only 30% of daily calories from fat.

In recent diet recommendations from the American Heart Association, much of the protein comes from skim milk and lowfat dairy products. Skim milk is recommended because of its low fat content, coupled with its excellent protein and calcium content. Low cholesterol, low fat diets are frequently a part of the treatment of cardiac patients. Patients on low fat milk diets frequently complain that skim milk is watery, it looks blue and it has no taste. Adding wholesome dried milk to skim milk seems to address the problems of mouthfeel, color and flavor as well as improved nutrition. Lactose has the benefit of improving the absorption of calcium. This could be a benefit in the treatment of heart disease.

Pregnant, lactating and very young women are also likely to be positively affected by the provisions of SB 165. Calories and weight control are a high-priority concern for these women. Many young women perceive whole milk to be very fattening and are more likely to choose lowfat or skim milk, if they choose milk at all. While the number of calories in lowfat and skim milk would go up about 10%, the amount of nutrients provided by the milks would increase about 15% under the provisions of SB 165. Dietitians and physicians have the responsibility to educate these very young women about the value of milk in providing so much nutrition for so few calories.

Finally, the benefits most affecting customers is the nutritive value and palability. Customers may be able to identify quality differences in brands but they do not expect identifiable additives such as guar gum, carageenan or tapioca which is currently being added to some 1% lowfat milks to improve appearance mouthfeel and taste. The addition of milk solids would eliminate these additives and thus improve nutrient value while not increasing cost to the producer who may be

using these additives.

To summarize, the major benefits of changes in SB 165 will be:

Significant increase in the nutrient content of lowfat and skim milk without excessive cost. Less fat and more calcium, protein, riboflavin, thiamin and potassium. This could greatly benefit children in their formative years, elderly persons and people on low fat diets.

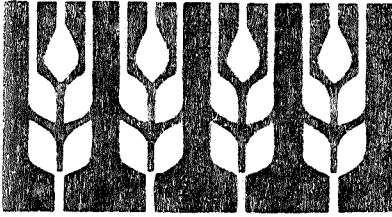
Enhance the body, taste and mouthfeel of lowfat and skim milks; making them more palatable thus more likely to be consumed. A nutritious product which isn't consumed is of no value. If we make this product available perhaps more people will choose lowfat milk in preference to less nutritious beverages.

Make fluid milk products more uniform; by eliminating the need for additives of non-milk substances thus conforming with consumer expectations.

Thank you for your time and interest in SB 165.

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KANSAS ASSOCIATION
OF WHEAT GROWERS



TESTIMONY

House Committee on Agriculture and Small Business
SENATE CONCURRENT RESOLUTION 1601

Wednesday, March 27, 1985

My name is Howard Tice, and I am Executive Director of the Kansas Association of Wheat Growers. I appreciate this opportunity to testify today in support of Senate Concurrent Resolution 1601.

Our industry is heavily reliant on exports. In the case of wheat, we need to export two-thirds of our production.

There is no denying the fact that there are many factors which have combined to cause the loss of much of our market share. To try to place the blame on any one factor would be unproductive, and a waste of time. We need to recognize that the problem is many faceted, and then work to correct each problem separately. To attempt to solve all of the problems in our export trade with one bill, would be as futile as trying to blame any one factor for total problem. A many faceted solution is necessary.

We feel that this resolution is a step in the right direction. One of the reasons we have lost sales is the quality of the product we are selling. The sad part of that reality is that the grain our former customers refuse to buy is in compliance with current Federal Grain Inspection Service standards.

Members of this committee heard spokesmen for the export industry deny that official complaints are being received. Those same spokesmen also said that our standards are satisfactory, and very efficient. We can agree with the statement that "official" complaints are few and far between, but what is much more significant, is the fact that former buyers of U.S. wheat are now making their purchases from Canada because they cannot afford to buy, and then bury, what they consider unmillable grain and foreign material. In some cases, the "extra waste" runs from 5 to 20% of the shipment.

The Federal Grain Inspection Service Standards have, in the past, been the envy of the world. However, the world has caught up, and in some cases, passed us by. We feel it is time the F.G.I.S. recognized this fact, and we feel it is time for growth in this segment of our industry.

I would like to make it clear that this testimony should in no way be construed as an indictment against the grain storage and export industry. We recognize that blending down within the limits of the prevailing standards is completely legal, and economically defensible. However, we feel that by making the effort to provide a higher quality product, we can and will win back some of the customers who would prefer U.S. hard red winter wheat, but are now settling for different varieties from our competitors in order to avoid buying, and burying a portion of each shipment they can't use. Systems are available, and in use, that allow elevators to clean the grain they receive, at a profit. Higher standards would insure that that clean grain would be made available at a competitive price for those who want it. We feel this would be a positive step toward correcting one of the faults in our export industry.

3/27/85
Attachment F

John Miller is unhappy with quality of U.S. wheat

"We in Indonesia are mainly eaters," said S. G. Yap, managing director of the Gasari Flour Mills in Indonesia. "We use close to 300 pounds per capita.

"I myself will not survive on bread alone," said Yap, a speaker at the National Association of Wheat Growers annual convention, Jan. 20 to 24, in Honolulu, Hawaii. "This compares with the consumption of about 15 pounds of wheat flour. We are therefore no way near the average consumers of your country, Europe and some Asian countries, such as Japan, South Korea and Malaysia.

"A lot of our formula flour is used for noodles," he said.

"Let me make a few remarks about wheat. In the past, I have not mentioned, but I feel the shippers should know about it. Generally, the wheat we receive from the U.S. is not very clean. I may even say, dirty—compared to Australian and Canadian wheat.

"It is imperative action be taken to right this wrong. Our industries always complain of the excessive dust, apart from the fact we have to continually clean our pneumatic unloaders. We feel you ship too much dust. Therefore, we buy dust," Yap said.

"Canada gives your overseas buyers a cleaner deal.

"Dockage too is a serious problem with your wheat shipments. It is almost always more than the permissible limits. It adds to our costs. We at the flour mills have to absorb such losses.

"On protein, results of your spring wheats and hard red winters are far from satisfactory. It is quite common for us to get about 0.5% below what we pur-

chase. From time to time, we simply cannot use your protein wheat for straight milling of our bread flour. You know what happens? We have to use Australian or Canadian wheat for the protein reliability—whose shipments are invariably in excess of contracted protein content," Yap said.

"Shipments under the PL 480 program usually are a lot worse than those called for under commercial terms. Protein, dockage, add mixture, all are great disadvantages in buying U.S. wheat.

"Our country appreciates your assistance under the PL 480 program. But if grading is not carried out well, it defeats your

NAWG convention presentation

objective of assistance. The purpose of PL 480 is for the U.S. government to use surplus commodities by creating commercial demand and for humanitarian reasons.

"The Federal Grain Inspection System ought to be very strict with their inspections. And in cases where a particular lot is inferior, it should be rejected outright.

"I also would like to appeal to the shippers to pay more attention to the shipments they make," Yap said. "We are not big buyers, but what happened to quality U.S.A.? They (smaller buyers) think the standards have come down. This year is going to be a very tough and competitive year for exporting countries and is leading to a buyers market.

Already the first move was made by Argentina, selling their wheat at very attractive prices. They already have sold large quantities worldwide.

"Their wheat is the same hard type and much cheaper than your comparable hard red ordinary—very tempting indeed.

"We are still faithful users of U.S. wheat. Our government's policy does not depend on one source alone for price, quality and shipping. We import about 60% U.S. wheat for our full production.

"On several occasions in the past, I have been approached by people to allow them to give claims on the poor output of U.S. wheat shipments—PL 480 or otherwise. I have refused to do so, as I do not subscribe to it. I am a strong believer in negotiation and persuasion. I am confident it will achieve the same goal in due time.

"This is the opportunity to be heard. But most important, to see future improvements. I do hope that I have not touched a hornets nest and upset some people. It is really in the interests of U.S. exports and objectives. Maybe the horns of U.S. wheat inspection is too wide and the rule needs serious review. Why not send some of your FGIS inspectors to Indonesia for a month and observe shipments of your and other origin wheats. They will have first-hand information. If a person or persons, so invited, do not find satisfaction, the least we can do is accord him a nice holiday at an exotic island party to finalize his report.

"Seriously speaking, it is not a bad idea. My company would be very glad to pay all his or their expenses, if so required," Yap said. "We mean well, and we

want you to learn of our weaknesses. I am sure I am not the only voice. Mind you, your soft white, western wheats are good wheats, and we have no quarrel about them. It is the dust, dockage, mixture and protein that we are not happy with.

"I feel, we do not receive goods for the price we pay. I feel that U.S. growers and exporters should not concentrate on price alone. A satisfied buyer is a happy buyer.

"It is not likely our future consumption will increase by leaps and bounds. In Asia, there are several substitutes for wheat flour. In 1983, we consumed about 1.6 million tons of wheat. Last year, it went down to about 1.5 million tons. We hope in 1985 we will see a return to our normal consumption figure. And future years will show steady increases.

"We have completed an expansion of our flour mills. We currently are capable of producing about 6,500 tons of wheat flour per day, which equals about 9,000 tons of wheat grain. However, our expansion is in preparation of increased consumption in the next several years.

"Together with another flour mill, which we manage in east Indonesia, the country's milling capacity today is 10,000 tons of wheat per day. This is for three mills. For the information of our exporter friends, we are almost ready to operate our first-ever concrete silos, totaling 290,000 tons at our two mills. We expect these silos to become operational in April.

"At the moment, we are still using our old houses, which we have utilized since inception in 1971, and the use of wheat is only 10,000 tons daily.

"I apologize that some of you may find me too blunt," Yap said.

"In Indonesia, we do not tender, we negotiate to buy wheat," he said.

HIGH PLAINS JOURNAL



Kansas Farm Bureau, Inc.

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STATEMENT OF KANSAS FARM BUREAU
to the
HOUSE COMMITTEE ON AGRICULTURE & SMALL BUSINESS

RE: S.C.R. 1601 -- Federal Grain Standards

March 27, 1985
Topeka, Kansas

Presented by
John K. Blythe, Assistant Director
Public Affairs Division
Kansas Farm Bureau

Mr. Chairman and members of the Committee:

We are pleased to have this opportunity to speak on behalf of the farmers and ranchers who are members of Farm Bureau as you consider S.C.R. 1601, a concurrent resolution, urging the USDA to change our current grade standards for grain.

The Kansas Farm Bureau has a long history of activity in an attempt to change the USDA grade standards for grain.

The Kansas Farm Bureau has been instrumental in the development and the adoption of our current American Farm Bureau policy regarding grain inspection and grading. Although I am not going to read our entire policy statement, I want the Committee to have the AFBF policy statement in its entirety.

3/27/85
Attachment G

Grain standards, inspection and pricing

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We encourage those engaged in the marketing of agricultural products to seek out and develop markets which will recognize quality differences and adequately reflect these differences in the prices paid to farmers.

We encourage the grain industry to study alternative methods of handling and transporting grain to maintain quality. We believe that grain producers should be directly represented on the Federal Grain Inspection Service Advisory Committee.

Any changes that may be made in the grain standards should more accurately reflect the quality of grain and ensure that this quality is reflected in the pricing of grain. We will maintain close liaison with USDA in an effort to ensure that proposed grade changes are in the best interest of producers.

We recommend that the integrity of the present classifications of wheat be preserved so that it applies to all classes of wheat rather than just "hard red winter." We further recommend the development of sub-classes of other red wheats with differentiation based on physical and biological characteristics, protein content, milling and baking qualities and other end-use factors.

We propose that USDA:

(1) Use objective tests which identify differences in hardness and protein quality;

(2) Accelerate research to develop more objective tests for hardness and quality; and

(3) Conduct a comprehensive study to identify the changes in grading procedures and standards needed to ensure that class and grade will accurately indicate the appropriate end use for each lot of grain.

Foreign matter should be defined as material other than the grain being marketed and anything in excess of one percent should be listed as dockage.

We encourage USDA and private agencies to study the relative importance of test weight, protein content, moisture, breakability and foreign material as quality and pricing factors and to develop more accurate equipment and procedures for testing moisture, protein content and other factors affecting the end use value of grain.

We favor the use of a dry matter basis for grading and pricing of soybeans and grain. If dry matter basis is not used, we oppose any changes by USDA to lower the standards for the moisture level of dry corn below 15.5 percent.

The practice of adding foreign material to grain to meet a certain grade should be eliminated.

We support strict enforcement of the U.S. Grain Standards Act and strict criminal penalties for violations of this Act.

We urge the Federal Grain Inspection Service to spot check, or in other ways verify, the quality and weights of export grain shipments if personnel and funds are not available to inspect and check weights of all export shipments.

We support the development and implementation of an accurate method of testing the vigor and germination of all seed sold in interstate commerce.

In summary Mr. Chairman and members of the Committee, we strongly support development of new, more realistic grain standards to replace the present United States Grain Standards Act. New grain standards should require precleaning and identity preservation by class of grain sold into export channels.

The objective of developing new grain standards must be to enhance sales and improve returns to producers. New standards must insure that class and grade will accurately indicate the appropriate end use for each lot of grain. New standards should be developed soon and should be strictly enforced.

We believe the USDA and the grain trade should work cooperatively to develop new grain standards which accurately reflect the importance of test weight, protein content, insect infestation levels, moisture, dry matter basis, and foreign material in determining quality, grading, and pricing factors for soybeans, wheat and feed grains.

Foreign material, including dockage, should be defined in new grain standards as material other than the grain being marketed. The practice of adding foreign material and/or wheat of other classes to grain to meet a certain grade, should be prohibited. Criminal penalties for violations should be swiftly and surely administered.

The Federal Grain Inspection Service should inspect and check cargo weights of all export shipments. F.G.I.S. should also verify the cleanliness, quality and test weight of every export grain shipment. If we can effectively improve our grain standards, we believe that our agricultural exports will be greatly enhanced.

Thank you Mr. Chairman and members of the Committee for this opportunity to express the recommendations and concerns of the Kansas Farm Bureau relating to the USDA grain standards. We commend the agricultural committees of the Kansas House and Senate for their attention to this important aspect of grain marketing and export trade.