

# Iowa Public Health Association



Update on Raw Milk Presentation to the Iowa Food Safety Task Force // 1.17.13

*The following summary of 2012 raw milk activity was provided by Mark Truesdell, legal counsel for the Iowa Dairy Foods Association.*

United States: Started and ended 2012 with no change in the number of states in which raw milk sales are, to one degree or another legal; 30 states allow; 20 states (incl. Iowa) prohibit.

Indiana: The most significant legislation was in Indiana, which passed a bill requiring a study on the subject by the Indiana Board of Animal Health.

1/26/2012: Iowa District Court for Linn County finds for IDALS in the lawsuit Slippy v. Northey: In his opinion, Judge Robert Sosalla writes that: *"The Court defers to State agency determinations on matters of public health and welfare. Cannon v. Board of Psychology Examiners of the State of Iowa, 707 N.W. 2d.336 (Iowa App. 2005). The IDPH has an interest in limiting the number of Iowans who consume raw milk. See Defendant's Appendix pages 2-3. Prohibiting the sale of raw milk is a reasonable means to achieve that goal. Iowa has a long and vast line of case law that specifically allows government regulation of individual rights, including property rights, in the name of public health and welfare, including another case involving the government's public health interest in prohibiting the sale of raw milk. Johnson County at 87"*

02/21/2012: CDC issues Press Release touting a 13-year study published in *the CDC Journal of Emerging Infectious Disease* concluding that the states where the sale of raw milk was legal had more than twice the rate of outbreaks as states where it was illegal.

2/22/2012: Johnson County Board of Public Health adopted policy against sale of raw milk.

2/23/2012: HSB 585 died in the Iowa House Judiciary Committee. Our vote count was 11 No votes and 9 Yes votes in that Committee. In a committee of 21 members, the proponents needed 11 Yes votes to succeed. Because those 11 Yes votes were not there, the Committee Chairman Rep. Anderson declined to bring the bill to Committee that critical funnel day. The bill died for the 2012 Session.

3/04/2012: Dr. Daniel H. Gervich, M.D., Board Certified Infectious Diseases and Critical Care Medicine, Des Moines, wrote a Letter to the Editor in the DM Register concluding with the sentence: "Feeding unpasteurized milk to infants constitutes child endangerment."

3/21/2012: Iowa State Senator Kent Sorenson (R-Indianola) introduced an amendment to a Farmers' Market bill (H.F. 2092) to allow the sale of raw milk at farmers' markets in Iowa. Anti-raw milk lobbyists called other Iowa Senators who had this amendment ruled Not Germane. Hence, Sen. Sorenson's amendment was never taken up.

6/14/2012: Polk County Board of Health Advisory Committee adopted a policy statement opposing the sale of raw milk in Iowa.

7/18/2012: CDC sent a letter to state health officials urging them to continue to support pasteurization for all milk sold to consumers and to tighten regulations governing the sale of raw milk and raw milk products. Letter was from Dr. Robert Tauxe, Deputy Director, CDC's Foodborne, Waterborne and Environmental Diseases department. Press Release attached.

11/01/2012: The Indiana Board of Animal Health presented its report. It decries the sale of raw milk in general, then goes on to recommend that if raw milk is legalized, its sale be limited and regulated.

11/2012: In a telephone conference with Mark Truesdell, legal counsel for the Iowa Dairy Foods Association, Rep. Jason Schultz (R-Schleswig) confirms that he intends to introduce again in the 2013 Session of the 85<sup>th</sup> G.A. his bill to legalize the sale of raw milk in Iowa. He indicates that he will submit a bill draft request for a bill that duplicates H.S.B. 585 of the 2012 session.

12/2012: Rep. Jason Schultz (R-Schleswig) is appointed a Committee Chair in the Iowa House for the first time. He will Chair the Local Government Committee.

#### **Roster of Organizations Opposing the Sale of Unpasteurized (Raw) Milk in Iowa (updated 1.16.13)**

- Iowa State Dairy Association
- Iowa Chapter, American Academy of Pediatrics
- Iowa Counties Public Health Association
- Iowa Environmental Health Association
- Iowa Medical Society
- Iowa Osteopathic Medical Association
- Iowa State Association of Counties
- Western Iowa Dairy Association
- Iowa Dairy Foods Association
- Iowa Public Health Association
- Iowa Association for Food Protection
- Iowa Grocery Industry Association
- Iowa Institute for Cooperatives
- Iowa Association of Business & Industry
- Iowa Veterinary Medical Association
- STOP Foodborne Illness (formerly) Safe Tables Our Priority
- U.S. Food and Drug Administration

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**Mission:** IPHA is the voice of public health in Iowa through advocacy, membership services and partnerships.

**Vision:** Advancing public health in Iowa

# Iowa Public Health Association

## 2012 Accomplishments

In 2012, the Iowa Public Health Association (IPHA) board of directors and membership committed to a vision of advancing public health in Iowa and a mission to be the voice of public health in Iowa through advocacy, membership services and partnerships. The volunteer board of directors, members and staff focused their collective energies to implement a strategic plan organized around the critical issues of: 1) membership engagement, recruitment and retention; 2) advocacy capacity; 3) partnerships; and 4) infrastructure capacity.

IPHA strives for an engaged membership, sustainable funding, public health advocacy, workforce development, and valued membership services. IPHA plays a key role in promoting and offering opportunities for training, funding and policy development to its members. Our members come from governmental public and environmental health entities (state and local), community health centers, hospitals, nonprofit organizations, and academia. IPHA is uniquely positioned as the convener, promoter and supporter of Iowa's public health community.

### IPHA HIGHLIGHTS FROM 2012

#### Advocacy

- Participated in the APHA **Public Health Action** Campaign meeting with Iowa's congressional delegation to advocate for 1) increased funding for CDC and HRSA; 2) public health funding through the Affordable Care Act and 2) reauthorization of the Farm Bill;
- Organized IPHA members and partners for Day on the Hill education and legislative visits and convened a successful IPHA Advocacy Forum;
- Registered to lobby and advocated for state and federal public health policy;
- Secured and implemented a grant project with the Delta Dental of Iowa Foundation to shore up community water fluoridation in Iowa;
- Spoke on behalf of public health at the Iowa Senate Health Care Stakeholders' Forum.

#### Partnerships

- Maintained an MOU with the American Public Health Association (APHA) and successfully secured and implemented an APHA grant to support strategic planning for local public health agencies as a step toward accreditation;
- Partnered with APHA public health affiliates from Kansas, Missouri and Nebraska to convene the *2<sup>nd</sup> Annual Region VII Meeting* in Omaha during National Public Health Week;
- Partnered with the Iowa Food Systems Council to convene the *Healthy Farms, Healthy People State Meeting*;
- Engaged by partners for coordination of the *Trends and Best Practices in the Investigation of Foodborne Illnesses Workshop* and the *Southwest Regional Food and Drug Administration Seminar*.

#### Membership Services

- Engaged our membership to educate Iowans on the importance of public health issues via conventional and social media;
- Served as the fiscal agent and co-chair of the *Iowa Governor's Conference on Public Health Conference*; approximately 600 professionals and students from public health and other disciplines attended this annual event which also serves as the venue for the IPHA annual meeting;
- Added a new membership category for corporations interested in supporting public health;
- Implemented the Iowa Public Health AmeriCorps HealthCorps through the AmeriCorps State program with the Iowa Commission on Volunteer Services;
- Provided internship experiences for Masters in Public Health students from Des Moines University;
- Convened the *IPHA Past Presidents' Book & Literary Society* to stimulate discourse on public health issues.

#### IN 2013, IPHA WILL LEVERAGE THE GAINS OF 2012 TO:

- Amplify our voice for public health advocacy through strategic partnerships and activation of our membership.
- Grow our membership to represent and serve all public health workers in the state, ensuring greater collaboration, better information sharing, and a high standard of practice in our field.
- Advocate to assure that Iowa communities are protected by preventive services and public policies which reflect a shared understanding, value and support of public health
- Partner with other leading health organizations to raise the health status of Iowans.