Brewers Say Proposed FDA Rule on Spent Grain Would Spike Costs

PORTLAND, Ore. (AP) — Northwest beer brewers have joined a national outcry over a proposed rule [1] from the Food and Drug Administration [2] that they say would make it prohibitively expensive for them to recycle spent grain by providing it to dairy farmers.

The FDA is trying to tighten the country's food safety network. The proposal would classify companies that distribute spent grain to farms as animal feed manufacturers, imposing new sanitation requirements and possibly forcing them to dry and package the material before distribution, The Oregonian [3] reported.

"This proposed regulation would help prevent foodborne illness in both animals and people," the agency said in a statement last month.

But brewers say the new requirements could cost millions and force them to raise beer prices.

"That would be cost prohibitive," said Scott Mennen, vice president of brewery operations at Widmer Brothers brewery in Portland. "Most brewers would have to put this material in a landfill."

For centuries, brewers have provided spent grain to dairy farmers, giving the farmers a low-cost or free source of high-protein, high-fiber feed for their cows. That means farmers don't like the proposal either.

One gallon of beer yields about a pound of spent malted barley husks. It's a food-grade product and heated to about 170 degrees Fahrenheit during brewing, which would kill any contaminants.

Most big brewers — like Widmer and Full Sail — ship the spent grain in bulk. Nationwide, brewers ship nearly 3 million tons a year, and about 90 percent goes to livestock, according to the Beer Institute, a trade industry group.

"It's a premium product," said Jerome Rosa, an organic farmer in Gervais who fetches about 20 tons a week from a brewer in Portland to feed his 300 cows. "I pay virtually nothing. But it's like putting honey on your cereal. It makes the cows want to eat more and we notice it in their production."

Without the spent grain, Rosa said, his feed costs would go up — adding to the cost of his milk.

Another farmer, Tim Hutton of Yacolt, Wash., said he'd have to abandon his hobby of raising cows and pigs. He relies almost entirely on spent grain from Gigantic

Brewing Co., to feed his animals.

"It's one of those rare things that's been a win-win for livestock producers and the beverage industry," said Tami Kerr, director of the Oregon Dairy Farmers Association.

Under current rules, breweries and distillers are exempt from animal feed requirements. The FDA's proposal would end that exemption. The proposed rule is one of seven pillars of the Food Safety Modernization Act, signed by President Obama in 2011 to stem food poisoning, which sickens 48 million people a year in the United States and kills 3,000.

Daniel McChesney, director of surveillance and compliance in the FDA's Center for Veterinary Medicine, said the agency isn't aware of cases where the practice has led to food-borne illnesses. "But we're trying to get to a preventative mode," he said.

He said the FDA has been surprised by the reaction and is reconsidering the rule. The FDA will open up the rule to comments again this summer and then revise the proposal, which is due to be finalized by August 2015.

Among the critics are several Northwest lawmakers. Sen. Ron Wyden, D-Ore., co-chair of the craft brewers caucus in the Senate, wrote a letter to the FDA with the other chair, Sen. Lisa Murkowski, R-Alaska, asking it to reconsider.

Rep. Peter DeFazio, D-Ore., and co-chair of the craft brewers caucus in the House, called the proposal "absurd."

"This is the kind of stuff that makes government look bad," DeFazio said. "It would mark a huge setback . adding tons of waste to our landfills."

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Information from: The Oregonian, http://www.oregonlive.com [4]

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