



VICFA Voice

Our Mission: *To promote and preserve unregulated direct farmer-to-consumer trade that fosters availability of locally grown or home-produced food products*

June 2011

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Rally For Farm and Food Freedom

By Rose Lawhorne

You may have heard about the recent FDA raid on an Amish Pennsylvania Dairy Farmer named Dan Allgyer. In late 2009, FDA agents began a sting operation designed to catch Mr. Allgyer selling raw milk harvested from his own cows on his personal property. Mr. Allgyer had private contracts with a group of people from Maryland and DC to purchase his milk and other dairy products – an undercover agent infiltrated this group. The FDA does not contend that any of Mr. Allgyer’s milk is contaminated and none of his milk has resulted in a single complaint of illness, rather, FDA’s case is based on the fact that the raw milk Dan sells is unpasteurized. Believe it or not, the sale of unpasteurized milk across state lines is a federal crime. As a result of their year and a half long investigation, the FDA raided his farm on April 20th shortly after 5 AM. The FDA has filed a suit in the United States District Court for the Eastern District of Pennsylvania seeking an order banning Mr. Allgyer from selling his milk in interstate commerce and is demanding that he pay for the federal investigation of his farm and for the government’s legal fees and costs.

In response to this situation, a rally for Farm and Food Freedom was quickly organized by individuals from the private buying club “Grassfed on the Hill”. The rally was held on May 16, 2011 at the Upper Senate Park in Washington DC.

In a show of support for our freedom to farm and freedom to consume the food and drink of our choice several VICFA members made the trip to DC for the event - special thanks goes to Brian Croes for driving!

Speakers at the event included:

Jonathan Emord, *Attorney for Grassfed on the Hill*

Sally Fallon Morell, *President, Weston A. Price Foundation*

David Gumpert, *Author and Real Food Blogger*

Titi Wallubita, *Attorney, Mom, Raw Milk Consumer*

Mark McAfee, *Founder and Owner, Organic Pastures Dairy*

Baylen Linnekin, *Executive Director, Keep Food Legal*

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AND – a gentleman who rode a bicycle for three days, 140 miles from Harrisonburg, Virginia to the event, staying at farms along the way.

These educated and talented individuals volunteered their time to speak out publicly and loudly about the oppressive nature of the FDA regulations and their assault on raw milk. They spoke of our right as individuals to have the freedom to make personal choices to consume the food and drink of our choice. Mark McAfee spoke of the laws in California, where he owns a dairy and provides milk to 50,000 people – they even sell milk in 10 doctors' offices - but if his milk crosses state lines into Nevada, it all of a sudden becomes illegal contraband.

While all of the speakers aroused cheers and applause from the crowd, the highlight of the day was “Morgan” – the dairy cow that was brought to the event by Leah Mach. Leah milked Morgan and two of the ladies from Grassfed on the Hill made a public toast to raw milk, consuming the freshly produced milk. The members of Grassfed on the Hill brought several gallons of raw milk in coolers and distributed the milk to anyone who wanted to consume – and I assure you, it was delicious!

It was wonderful to come together on a beautiful day with likeminded individuals of all ages, races and backgrounds to share in this experience – and take a stand for farm-to-consumer freedom. I was amazed and very pleased to see the number of healthy, happy children running around, playing and drinking raw milk. By the time we got back to Central Virginia the internet was buzzing with blog posts, videos and news clips of the event detailing the events of the day.

What we need to do as an association is show up at these events in HIGH NUMBERS. They said there are 15 million raw milk drinkers – if one third of that 15 million showed up at an event like this it would most certainly let everyone know we are serious about our cause – the freedom to interact between farmer and consumer – without interference or harassment from the government and that the laws as they are need to change. ■



— Legal Considerations for Farm-To-Consumer Sellers New Options Available

By Pete Kennedy, Esq.

The Farm-to-Consumer Legal Defense Fund (FTCLDF) protects the rights of farmers and consumers to engage in direct commerce; it protects the rights of farmers to sell the products of the farm and the rights of consumers to access the foods of their choice from the source of their choice. FTCLDF is a true grassroots organization and receives no government funding and little or no corporate funding. Its main sources of revenue are membership fees, individual donations and grants for public interest litigation from its sister organization, the Farm-to-Consumer Foundation.

Annual memberships are \$125 for farmers, \$50 for consumers; and for affiliates such as buyers clubs and cooperatives, the annual fee is \$250 for the first fifty members and \$5 for each additional member. For those whose religious or philosophical objection to becoming members in an organization that engages in litigation, FTCLDF offers renewable Non-Member Consulting Agreements at the same rates.

Benefits of FTCLDF membership are: (1) unlimited consultation with attorneys on matters within its mission statement; (2) any contractual documents it provides, e.g., herdshare contracts, buyers club agreements, etc.; (3) unlimited consultation with FTCLDF board member and dairy farmer, Tim Wightman, on matters related to farm operations; (4) toll-free emergency hotline to speak with an attorney if there is a surprise visit or inspection from a government agency; (5) the possibility of legal representation on matters that are within FTCLDF's mission statement at no additional cost. Compare the cost and benefits of membership to the typical cost of a single phone call with an attorney.

FTCLDF levels the playing field, making it more difficult for the government to win wars of attrition that drag farmers through administrative and judicial hearings; membership enables members to spend their resources on farming instead of lawyers. In addition to litigation, FTCLDF's work includes advising on state legislation, working at the administrative level on matters before federal and state governments, and day-to-day member services. Member services have included work on the following: zoning, complaints from neighbor(s), on-farm poultry processing, disputes with farmers market managers, and slaughterhouse regulations.

Some of the cases FTCLDF is currently litigating include: challenging FDA's ban on raw milk for human consumption in interstate commerce; defending Morningland Dairy in its

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efforts to prevent the Missouri State Milk Board from destroying 50,000 pounds of embargoed cheese when there have been no reports of illness against the dairy; and representing defending Minnesota consumer Rae Lynn Sandvig who had a criminal search warrant executed against her home. The Minnesota Department of Agriculture is contemplating bringing criminal charges or administrative sanctions against Sandvig; her offense? letting her home be used as a distribution point for a raw milk farmer.

Visit FTCLDF's website at www.farmtoconsumer.org which includes a petition page where users can send a message directly to legislators on pending legislation and other matters. FTCLDF also issues an electronic digest and action alerts to its email subscribers. In addition, FTCLDF sponsors the "Food Rights Hour", a radio show broadcast weekly on the Republic Broadcasting Network (RBN, www.republicbroadcasting.org). Those with questions about membership or want more information about FTCLDF, can send emails to info@farmtoconsumer.org or call 703-208-3276. ■

VICFA Notes

Annual Members Meeting

The June Meeting is our Annual Members Meeting and will be held in Swoope, VA on June 12, 2011.

We will share in a potluck lunch at 1:00 pm, followed by our general business meeting from 2:00 - 4:00 pm. VICFA membership meetings are open to the public. Please bring a dish and a big helping of enthusiasm to share. Broaden our reach - invite a friend or neighbor to join you.

Sunday, June 12, 2011
at the home of Joel and Teresa Salatin
Polyface Farm
43 Pure Meadows Lane
Swoope, Va 24479
540-885-3590

DIRECTIONS:

Located 8 miles Southwest of Staunton, VA. Take I-64 to I-81 towards Staunton. From I-81 take Exit 220 (Puts you on 262) Take Middlebrook Ave/252 Exit Follow this to Stop sign. Turn LEFT onto Middlebrook Road (252) Turn RIGHT onto Cedar Green Road (693) Turn LEFT onto Hebron Road. (703) Go about a mile, you will see a brick church on your right. Turn LEFT onto Edson Creek Road (708) Go ½ mile Turn RIGHT onto Glebe School Road (708)(this appears to be a Y, stay right). Stay right at 2nd Y. Go about 4 miles or so total Turn RIGHT onto Trimble Mill Road Go ¼ mile to first left Turn LEFT onto Shuey Road (713)(this will be gravel). Follow for exactly 1 mile Turn RIGHT at Polyface Farm sign (Pure Meadows Lane).

Additional information available at www.vicfa.org

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The VICFA Board

If you are interested in becoming a VICFA Board Member, we would love to hear from you. Please contact us at: info@vicfa.net

VICFA

PO Box 6838
Charlottesville, VA 22906

VICFA

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E-group: <http://groups.yahoo.com/group/VICFA>.

Editorial Review: Lois Smith and Anne Buteau
Proof Reader: Anne Buteau
Contributing Columnist: Rose Lawhorne
Designer: Shannon Sankar

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Share this newsletter with a friend - encourage others to join VICFA!

Annual membership is \$25.00.

Please make check payable to VICFA and send to PO Box 6838, Charlottesville, VA 22906.

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