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We'd love to feature your article in an upcoming newsletter.
Contact suzicroes@gmail.com

VICFA

Virginia Independent Consumers and Farmers Association

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*Date _____

*First Name _____ *Last Name _____

Company /Farm Name _____

*Address _____ *City _____ *State _____

*Zip _____ County _____ Congressional District _____

*Phone (_____) _____ - _____ E-mail _____

Website _____ Producers, please list the products that you sell: _____

*Do you want to be listed in the Membership Directory? Yes No

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August 2014

Photo by: Albert Freeman

[VINTAGE]

<http://historyinphotos.blogspot.com/2014/06/albert-freeman.html>

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

August 2014

In This Issue:

A Fundamental Liberty

David J. Berg shares his writings from legal research concerning the American heritage of food choice as a basic right for everyone

Did You Know...

Six reminders on why it's important to continue to inspire change in Richmond for our food freedoms

Farmers' Money Crop

A look at industrial hemp and how it impacts farmers

Hemp Notes & History

Hemp facts and opinions from industry leaders to our founding fathers

VICFA Notes:

Announcements

August Meeting & Information and an invitation to join us at Ediblefest in Orange, VA

Food Choice is a Fundamental Liberty Right

By: David J. Berg, Legal Research and Writing

David J. Berg worked as a maritime lawyer in Boston for almost twenty years and now works as an independent legal writer. He has been interested in food choice and food rights for some time. He developed the idea for this article from legal research that he had performed pro bono for the Farm to Consumer Legal Defense Fund and looks forward to being able to contribute further to the issue of food rights. He can be reached at dave@berglegal.net or 414-595-8139.

This article, published originally in the June 2014 issue of the Niche Meat Processor Assistance Network newsletter, is a summary of David's comprehensive, historically grounded, law review article, *Food Choice Is a Fundamental Liberty Right* [9 Journal of Food Law & Policy 173 2013] provided with permission from HeinOnline. The article contains a fascinating and detailed history of law and regulations related to meat processing, stretching back to the Colonial period. Download the full article here:

<http://www.extension.org/pages/71012/food-choice-as-a-fundamental-libe>

Going to your local farm to buy freshly slaughtered meat or poultry is one of society's oldest and most natural commercial activities. From the earliest colonial times, if Americans wanted meat or poultry for their table, but didn't have any animals of their own, they would go to their local farmer or butcher. Today, we no longer have to buy from our local farmer for food, but many people choose to do so because they cherish the connection between producer, consumer, and food that has been lost in the era of industrial food.

Direct Farm To Consumer Sales Were Traditionally Unregulated

Although the American colonies and states traditionally regulated numerous aspects of food sales, most pre-twentieth-century food safety laws only applied to food sold at municipal markets, sold in barrels, or sold to middlemen for resale. In fact, well into the twentieth century, farmers and food producers in most states remained free to sell their products, including meat and poultry, directly to the consumer without government regulation or inspection. Our national customs and practices of purchasing meat and poultry directly from the farmer who produced that food, without mandatory governmental inspection, are extremely deeply rooted in our nation's history and tradition.

Unfortunately, this close relationship between the consumer and the producer and their food no longer exists. As farmers and food processors well know, even if willing consumers want their local farmer to pick out a live animal for immediate slaughter and purchase, the farmer and processor must follow federal and state food safety regulations with very limited exceptions. Is this right? Shouldn't Americans have the right to do something as basic as buying the food they want through a private transaction with the seller, free from governmental regulation?

continued on page 2

In other words, if someone wants to buy some food from his or her local farmer, regardless of whether that farmer follows governmental food safety regulations to the letter, shouldn't that person have the freedom to do that?

We have a constitutional right to purchase our food directly from the farmer.

I argue that Americans do have the right, at least in part, to purchase their food directly from the farmer, free from governmental regulation. Our Supreme Court has long recognized that Americans have certain basic rights, which are called "fundamental" rights. One of those fundamental rights is the right to liberty. In the law, liberty does not only mean freedom from bodily restraint; rather, liberty is a very broad term that includes, among other things, the rights of self-identity and self-expression. Liberty also refers to a person's right to enjoy those privileges long recognized by society as essential to the orderly pursuit of happiness.

Self-identity and self-expression sound like academic terms, but they are legal terms as well. In a nutshell, self-identity has to do with one's understanding of himself or herself, and self-expression is simply speaking one's mind, often as political speech.

The rights of self-identity and self-expression are important to food rights advocates because you really are what you eat. Self-identity is essentially "Who am I?" and sociologists have found that, for most people, an important part of "Who am I?" is "What do I eat?"

Food rights advocates can use this sociological research, along with the historical fact that our colonial and state food safety laws did not traditionally regulate farm to consumer transactions, to argue that producers and consumers should be reconnected in the food network. Hopefully, the courts will soon recognize that a consumer's desire to purchase meat and poultry directly from the farmer, without governmental interference, is indeed a statement of self-identity and self-expression and a form of political speech and political action that is part of our right to liberty under our constitution.

What legal questions related to meat processing and consumer choice do you think need exploring? Contact David Berg: dave@berglegal.net or 414-595-8139. ■ **Additional Source:** www.extension.org

Did You Know...

- 1) Because of increased food poisoning outbreaks in large, commercial food production operations, as well as poor food quality in general, there is a tsunami demand from consumers for local, farm-produced food.
- 2) It is not possible to buy raw milk or fresh raw milk cheese for your own consumption from a farmer on his own farm.
- 3) It is illegal for a farmer to slaughter a beef or pig on his farm and sell the meat to you, unless onerous prohibitive regulations as to processing are enforced.
- 4) Unreasonable regulations are strangling small local farmers even with respect to other farm-produced food such as fruits, vegetables, and farm-produced food products.
- 5) This amendment is needed as it is very difficult, if not impossible, to enact statutory relief from the massive labyrinth of laws and regulations oppressing Virginia farmers.
- 6) Surely the right for a person to contract for his own food at the farm directly from the farmer who produced it is a fundamental right.

Industrial Hemp - A Money Crop for Farmers

By: Alyssa Tillet

Industrial hemp (*Cannabis sativa* L.) is an ancient crop that is now illegal to grow in most states. In the 1930's hemp was banned, under the disguised name of Marijuana (Marihuana) a plant that is similar, but not used like industrial hemp. Andrew Mellon, Secretary of the Treasury at the time, was a primary investor in DuPont. He appointed Harry J. Anslinger to the Federal Bureau of Narcotics and Dangerous Drugs, and together they began the war on hemp. In that time DuPont had started creating synthetic fibers, which hemp would compete with. Also the company created chemicals for the cotton industry, which hemp farmers had no use for because hemp crops did not need chemicals to be grown or harvested like cotton. In 1935 The Marihuana Tax Act was secretly being drafted by Herman Oliphant, the Treasury Department's general counsel. They wanted a bill that would pass both congress and the court, disguised as a tax revenue bill. The bill was brought to the House Ways and Means committee, which was chaired by Robert Doughton, a DuPont supporter. The Marihuana Tax Act went through the House with no further hearings. It was then sent to the Senate Finance Committee, which was controlled by another DuPont ally. In 1939 The Marihuana Tax Act was enacted. Hemp had been banned completely, giving a victory to big corporations that didn't want to compete with it.

For Americans, hemp is not only a crop, it is a part of our culture. From the 1600's to the 1800's one could pay their taxes with hemp. From 1763 to 1769 all Virginians were required to grow hemp because of the value of hemp to the country. The first drafts of the Declaration of Independence were written on hemp paper. The Latin root for the word Canvas means Cannabis Hemp. Hemp is in every fiber of American history. Thomas Jefferson said, "Hemp is of the first necessity to the wealth and protection of the country".

American farmers should have the freedom to grow crops their ancestors grew. Whether it's heirloom tomatoes, corn, beans, squash, or hemp. We cannot let big corporations dictate what we can and cannot grow. In the past 77 years Americans have allowed this control to continue onto other crops such as corn, wheat, and soy, threatening the future of the heritage crops. We all try to keep some sort of tradition from our ancestors alive, whether it's that family recipe, a Christmas tradition, or an occupation. Hemp was the traditional crop of America, the very roots of freedom. Freedom was won through the hemp sails and ropes on the ships that fought the Revolutionary war, through the hemp clothing that kept the soldiers warm through many wars. Freedom was discovered under the hemp canvas of a covered wagon heading west, the structure and fuel for the very first automobile. Freedom was written upon the pages of hemp paper.

Many countries, such as China, Canada, and France, see the value in industrial hemp. China is the largest producer of industrial hemp today. Most organic products have some sort of hemp products in them. From soaps, lotions, and makeup, to protein powders, granola bars, and smoothies, the demand for hemp has grown, and if the United States doesn't legalize hemp, many American jobs will be lost to other countries.

If we abandon our culture, there is no future. We need to preserve the American tradition of farm and food freedom. If we don't get back to our roots, our children will not have a tradition to carry on. ■

Sources:
<http://foodfreedom.wordpress.com/2011/04/30/hemp-history-week-may-2-8/>
<http://hempethics.weebly.com/what-is-industrial-hemp.html>
<http://www.collective-evolution.com/2012/12/05/how-hemp-became-illegal-the-marijuana-link/>
<http://www.world-mysteries.com/marijuana1.htm>

To read more about the economic and environmental benefits of industrial hemp, visit: <http://puretraditions.com/hemp-legalized-economical-environmental-benefits>

Notes on Hemp

- Over 20,000 modern day products can be made from hemp
- Hemp produces 4 times as much ethanol per acre as corn
- Plastics made from hemp are biodegradable
- Hemp is the #1 producer of biomass per acre in the world, up to 10 tons per acre in four months
- 1 acre of hemp produces as much cellulose fiber pulp as 4 acres of trees, 2 crops of hemp can be grown annually
- Hemp seed is the most complete food source containing all 8 essential amino acids, the essential fatty acids, as well as fibre, carbohydrates, vitamins and minerals needed to sustain human life
- Hemp was used as legal tender in America from 1631 until the early 1800s, you could pay your taxes with hemp
- The first hemp laws in America were "must grow laws" and required colonists to grow hemp
- Until the 1800's most of the textile and paper products were made from hemp
- Humans have been cultivating and using hemp industrially for around 10,000 years
- Relatively drought-resistant and it's high protein seed has been relied upon several times through history during drought-induced famine
- Hemp stabilizes and enriches soil, and reduces weeds without chemical applications

"Why use up the forest which were centuries in the making and the mines which required ages to lay down, if we can get the equivalent of forest and mineral products in the annual growth of the hemp fields." – Henry Ford

"Hemp is of the first necessity to the wealth and protection of the country." – Thomas Jefferson

"Make the most you can of the Indian Hempseed and sow it everywhere." – George Washington

Please visit the Hempstead Project Heart site to learn much more:
<http://hempsteadprojectheart.com>

HB1277 Industrial Hemp Production and Manufacturing

Sponsor Delegate Joseph R. Yost

Summary as introduced:
Industrial Hemp Production and Manufacturing— Allows licensed cultivation of industrial hemp, defining industrial hemp as the plant *Cannabis sativa* with a concentration of THC no greater than that allowed by federal law. The bill directs the Commissioner of the Department of Agriculture and Consumer Services to adopt relevant regulations and establishes an industrial hemp research program.

Full text:
<http://leg1.state.va.us/cgi-bin/legp504.exe?151+ful+HB1277>

VICFA Notes

Don't miss our August Meeting

The August Meeting will be held in Partlow, VA on August 10, 2014.

VICFA would like to extend our appreciation to our host for this month's meeting. Thank you to Lois Smith!

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, August 10, 2014 at 1:00 pm

hosted by Lois Smith

4949 Partlow Rd • Partlow, VA 22534
(804) 366-6051

DIRECTIONS:

From the Amherst Area: Take I-95 North towards I-64 West. Travel for 35 miles. Take Exit #110/ VA-639/Ladysmith. Turn LEFT onto Ladysmith Rd. Travel for 5.7 miles. Bear right onto Partlow Road. Travel for 8.8 miles. Destination is on the right.

From Charlottesville Area: Locate East High St (US-250-BR). Turn RIGHT onto Long St (US-250). Travel for 4 miles. Continue on Louisa Road (VA-22). Travel for 5 miles. Bear right to stay on Louisa Road (VA-22) and travel for 17.7 miles. Continue onto W Main Street (US-33) for 1.5 mile, then Bear RIGHT onto Jefferson Hwy (US-33) and travel for 6.6 miles. Turn LEFT onto Pendleton Rd (US-522) and travel for 3.8 miles. Turn RIGHT onto E. 1st Street (US-522), then turn LEFT onto Louisa Ave (US-522) and travel for 5.4 miles. Turn RIGHT onto New Bridge Rd (VA-208) and travel for 7.2 miles. Turn RIGHT onto Lewiston Road. Travel for 3.8 miles. Turn LEFT onto Dickerson Road. After 1.6 mile, Turn LEFT to stay on Dickerson Road. Travel for 2.3 miles. Continue on Duerson Lane for 1.9 mile. Turn RIGHT onto Partlow Road. Destination is on the left in 0.6 miles.

VICFA will be hosting a booth at **Ediblefest** in Orange, VA please stop in and see us!

August 9 • 10 AM - 6 PM

