



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

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### MARCH MEETING

## Yogurt Exemption Bill Fails:

This year VICFA had two bills HB516 (Del Rob Bell) and SB675 (Sen Creigh Deeds) which would have added home made yogurt to the list of products you can make in an uninspected kitchen. A huge thank you goes out to both of these legislators for sponsoring these bills.

Sen Deeds and Del Bell have both been long time supporters of food freedom in the General Assembly, and we greatly appreciate the time and effort they have spent over the years, helping increase local food choices in Virginia.

At the Senate Agriculture Committee hearing, Virginia Department of Agriculture and Consumer Services (VDACS), the Dairymens Association, Virginia Department of Health (VDH), Virginia Agribusiness Council, Virginia Farm Bureau (VABF) and a pediatricians organization all lined up to oppose SB675.

I will write an article about the objections and our rebuttals to them, in the House Agriculture Sub Committee for a later newsletter, as you may well find the facts interesting.

For now I will just say that the Senate Agricultural Committee voted 9-4 against the bill. Thanks to Senators Black, Marsden, Stanley and Suetterlain who voted for the bill.

In the House of Delegates Agricultural Sub Committee the opposition also brought out the man from the "Cattlemens Association"??? HB516 was voted to be "Passed By Indefinitely" so it didn't go anywhere.

It took 6 years to pass the "Pickle Bill" so all I can say is "We'll be back!"

**Please think about asking your delegate or senator to sponsor this bill next year. We can guide you through the process.**

## Herd Shares Survive Another Regulatory Attempt in Virginia:

In My Opinion....

It was only last year that "the government" in the form of VDACS found out just how many people in Virginia were involved in herd shares in Virginia. Last year the "stealth attack" on herd shares occurred when a "Food Freedom" bill HB2030 (Del Nick Freitas) was amended to become a "Raw Milk Sales" bill in which was hidden language prohibiting herd shares in Virginia.

VICFA found out about this language, but VDACS and Virginia Farm Bureau were determined to get herd share regulatory language into the Code of Virginia, and so followed a number of amendments. VICFA led the opposition, the word got out and the phones went crazy in the General Assembly building. Del Freitas defended the private property aspect of herd shares, the herd share language was removed and the bill died in the House Agriculture Committee.

Jump forward one year: 2017/18 ...

A "full frontal" attack on herd shares in Virginia came this session: first came the house bill HB825 (Del Barry Knight), and then on the last possible day to file bills, the senate bill SB962 (Sen. Mark Obenshain). Veteran food freedom campaigner Christine Solem was planning to stay home this year and just make phone calls, but when she heard the news of the senate bill, she said "That's it, they've done it now! I'm going down there!"

Why these bills?? I believe the motivation behind these bills is the fact that beverage milk sales are falling, nationwide and in Virginia, as reported by an American Farm Bureau report published 12/19/17, and a VAFB report posted on their website on 1/4/1 <https://www.vafb.com/membership-at-work/news-resources/ArticleId/3071/> dairy-industry-has-seen-consumer-trends-drying-up-beverage-milk-sales

HB825 and SB962 would have reduced the competition to conventionally produced milk, by making it harder or impossible for people to own their own milk supply by owning a share in a herd.

Herd shares in Virginia have been used by many families to build profitable, pasture based, low input, sustainable businesses. There are now many multigenerational family farms, owned by folks who did NOT inherit them, supplying their communities with nutritious foods, and doing all this without taking any subsidies from the government!

The safety of "the public" is usually the reason for the creation of new regulations, or the death of bills that would increase food freedom. However, with herd shares, the safety of "the public" is not threatened as herd share milk does not enter the public realm.

In March 2016 there was an outbreak of E.coli, and milk from a herd share program in Virginia was implicated.

From Food Safety News: 8/7/17 referring to the March 2016 incident:

"The state health department's Rappahannock-Rapidan Health District office did not make a public announcement about the outbreak at the time **because the general public did not have access to the milk**, District Director Dr. Wade Kartchner told **Food Safety News**."

"Consideration was given to putting out a broad public notice, **but the nature of the herd-share programs are such that we were confident that we would be able to effectively reach those who were truly at risk of illness**," Kartchner said. "... it is not quite the same situation as a restaurant outbreak where the public at large may be exposed."

This quote from the Rappahannock-Rapidan Health District Director Dr Wade Kartchner is extremely important as he recognized the inherent traceability within the herd share model.

Thankfully we have many citizens in Virginia willing to stand firm to defend their freedom and property rights. Most people don't need a whole cow, or have the land, or the time to care for and milk their own cow, so buying a share in a herd is perfect. Paying someone to look after their milking animal is the only option for many. The government has no business intruding on these private contractual agreements, and in the end SB962 failed to pass out of committee, and HB825 was withdrawn.

A successful result, but we will have to be on guard next year again.

Anne Buteau

President, VICFA A successful result, but we will have to be on guard next year again.



# VICFA



VIRGINIA INDEPENDENT CONSUMERS  
& FARMERS ASSOCIATION

## Virginia General Assembly, 2018

### Shell-shocked, Fatigued, But Triumphant

By Christine Solem

I've always hated computers, but I have to admit that the things are unparalleled when it comes to getting the news out fast, and assembling large amounts of people to protest and show up at a moment's notice. Extra thanks go out to VICFA President, Anne Buteau, who coordinated the effort, Suzi Croes, who manned the Action Alerts, Alyssa Tillett, who handled Facebook and website updates, and all the Share buyers and sellers, plus property rights advocates and freedom of food choice aficionados who blanketed the Delegates and Senators with phone calls and emails, and for showing up on February 1st in Senate Agriculture Committee to help kill Herd Share Bill SB 962. House Herd Share Bill 825 was subsequently struck the following day.

#### Terms of Engagement

I have lobbied the Virginia General Assembly off and on since 1992 for small on-farm raw milk sales, such as exemptions for farmers owning 3 milking cows/goats or less. The 'other side' (Farm Bureau, Virginia State Dairyman's Association, Agribusiness Council, Virginia Department Agriculture and Consumer Services, and the Health Department) said, "No way". These small sales are the "nose under the tent". Well I now say to the other side, "now you're sticking your nose under our tent".

What distresses me terribly is the smooth mouthings the "other side" feeds sincere people who have no experience in the fray down there and are led, to believe that they can be effective by being compliant. The truth is you cannot get anywhere down there by being Mr. Goodbar as all that money and power will just run right over you.

Some of the choice phrases employed by the "other side" are, "we aren't taking anything away, we are merely doing this or that—we just want to work with you—see how we cleaned up this bad legislation by these last minute amendments." (which, by the way you can't see til the Bill is plopped down in front of Committee). And most egregious of all, "We just want to legitimize herd shares. There is nothing in the Code of Virginia about them about them". What nonsense. Property rights belong to the people. The Code of Virginia does not establish them. They may only be taken away **by passing laws going so**.

If you buy a cow (milk-producing hooved mammal) or part of a cow herd, that cow is yours and the milk produced by that cow or part of that cow herd is your as well. As I see it, if the General Assembly wants to stop herd shares in Virginia, they must pass a law that says you can't buy or sell a cow. Let's see that one get passed! The thrust of SB 962 and Hb 825 was to make the requirements of the private herd share contracts so burdensome as to be inoperable, and if not this year then certainly down the road.

#### Terms of Agreement

I lobbied the General Assembly for several days this year and complained to all that the "interim" (translation, 4 years) Pocahontas Building denied due process in that you couldn't find anyone and were this denied "opportunity to be heard".

Everybody agreed! They said for the first four days or so that nobody could find anybody.

As anybody who had lobbied the General Assembly knows, time is of the essence. I spent half of my time just trying to figure out what the building had done with everybody. Signs were small and ill-placed, one elevator didn't go to the 3rd floor, but you didn't know that until you actually got on it and saw the the 3rd floor had no button. Then there were East and West choices which in the end didn't make any definitive sense.

The lobby, which was expansive enough in the old General Assembly Building both for security checks and a "loft" area roomy enough for an exercise run for Information secretaries, is gone. The Pocahontas lobby jams security personnel with all their machines and wands scanning uplifted arm up against an Information table manned by two stressed-out looking secretaries so engulfed in papers that they appear as birds squeezed in a nest.

In keeping with the aura of the building, the directory information sheet for the senators and Delegates is all force together onto one page in alphabetical order by last name However, the first names are also included in front of the last names so that your eyeballs have to do all the walking through those first names to get to the last names.

The Building is endowed with lots of blank walls and dead ends interspersed with Senators and Delegates. There do seem to be a lot of restrooms scattered hither and thither and yon... And this is a good thing, because if there ever were an "accident", no one would be able to find a janitor.

My proposal is that any and all monies which would have been allowed to enforce the failed herd share Bills SB 962 an HB 825, be used to entice the workers on the new General Assembly Building to finish it in 2 years rather than 4.

# Virginia's Family Farms Are Fighting For Their Lives

By Delois Stallman

About 9 years ago our family decided we wanted to regularly get fresh dairy milk from a small farmer.

We live in an HOA and aren't allowed to have large animals, so we decided to take advantage of a herd sharing program by buying in to a beautiful farm called Avery's Branch Farm. The farmers, the Alexander family, maintain the herd on behalf of people like me who live in a place where we cannot do it for ourselves, and we share in the food and expenses.

We have enjoyed this mutually beneficial relationship as our farm prospered and our own family grew. In the first few years, we actually drove 4 hours per week to pick up our milk and other foods. Our farm family ties are deep and longstanding.

We were devastated to find out two bills that seek to break up our farm family (HB 825 and SB 962). The bills are a heartbreaking betrayal, burdening Virginia's herd share farmers with unnecessary labeling on food we already own, and paperwork requirements, from which the result of error subjects the farmer to untold legal bills, daily compounding fines, unannounced search and seizures, criminal charges, potential jail time and, obviously, the risk of bankrupting the farms themselves.

I do not label tomatoes and produce I grow, nor should my farm be forced to label milk consumed only by us, the owners of that milk. These bills require farmers to direct careful attention to paperwork and jump through bureaucratic hoops rather than focus on the herd and farming. Equally ridiculous is the cost to the Virginia taxpayer: Impact Statement estimates hiring state employees and oversight cost \$235,000+ per year - an absurd waste.

These bills have shaken faith in what I believed was liberty-loving representation and deep respect for the Virginia small farmer. For decades Virginians have peacefully enjoyed herd sharing and growing local farms together. Our rights as Virginians to support friends and neighbors by sharing in their farms should be left untouched. Growing and eating my farm's food is my sacred right. I am deeply disturbed to see this right put in jeopardy. Both bills should be pulled from consideration.

I have to ask myself, who is behind this? Who would benefit? And how could that benefit ever come close to the downside of imperiling these farmers and families who work on shoestring budgets and by the grace of God give HOA-dwellers like me the chance to own wholesome food and be a part of a farming family? It is all very suspect.

It is shameful to see herd sharing under attack in the Commonwealth of Virginia, of all places. While these bills are set to impact only small dairy farm owners at this time, these bills are the first step toward interfering with private relationships of citizens to enjoy their private property and the fruits of it with their own family, and a gateway bill to interfering with Virginia's farmer markets we love to frequent.

Truly, there are no people I know who work harder than these farmers: they get no holidays, no snow days, no sick days. They feed the herd every single day, and they help feed my family every week. So, while the issues in HB 825 and SB 962 may not impact you personally today, I hope that you do consider attempts to interference with this sacred right offensive and stand together with us in the herd share community in strong opposition to these bills.

DeLois Stallman is a shareowner in a herd sharing program with Avery's Branch Farms in Amelia County, Virginia.

This article originally appeared in-The Republican Standard before SB 962 and HB 825 were defeated.  
<https://therepublicanstandard.com/stallman-virginias-family-farms-are-fighting-for-their-lives/>

**Questions or comments about VICFA? We want to hear from you!  
Get in contact with a board member!**

## VICFA BOARD MEMBERS

**President-** Ann Buteau,  
434-263-4946

**Vice-President:-**Richard Altice  
434-223-4204

**Treasurer-**Jay Smith  
804-366-3609

**Secretary-** Bryony Marshall  
bryonyjmarshall@gmail.com

## MEMBERS AT LARGE

Sina McCullough  
sina@1791.com

Susan Veerbeck:  
growinggracefarm@gmail.com

Josiah Tillet: jtillet@liberty.edu  
434-329-1510

Christine Solem:  
434-973-6505

Page Glennie:  
page.glennie@gmail.com

# Leaving the Legacy

By Bernadette Barber

I believe many VICFA members are very concerned about legislative issues and are so over worked farming and making a living, we have few precious living moments to concern ourselves with the moments of our passing.

We would do well to give a yearly examination of our mortality and its effects on our loved ones. Many farmers wish to leave their farm to their children. Luckily in Virginia, we have no estate/ inheritance tax, but the federal government does. The first 5.49 million is exempt from taxation. I think that covers most small farmers in Virginia, unless you live outside a metropolis where land values can be disputed for fair market value, vs agricultural value.

We also should also be prepared to understand that one or more of our children may not want to farm, they could want a corollary career or one totally non-farm related. They still may want "their fair share" which could require part of the farmland, livestock or equipment necessary to continue the farm to be liquidated so the divvying up can be equitable.

Life insurance can be the vehicle to balance the turbulence of a loved one's passing. Not only can it keep the bills paid so decisions don't need to be hastily made, it can be used to buy out one siblings share of the farm.

Life insurance can also be used to keep your favorite organization going. A simple beneficiary change for a portion of the proceeds on your existing policy to benefit the cause for freedom can go a long way with VICFA.

The winds of change in March can be a great reminder for us to take control of the uncertainty death can bring.

Call your life insurance agent today to review your needs or feel free to call me.

## *Life Insurance and Annuities* *Leave a Legacy, Every Family Needs One*

*Bernadette Barber*

1600 Morattico Road  
Lancaster, Virginia 22503  
804-238-1814  
alta.arbor@gmail.com

## UPCOMING VICFA MEETING SUNDAY MARCH 11, 2018

### HOSTED BY

Gary and Bernadette Barber  
1600 Morattico Road  
Lancaster, Virginia  
804-238-1814

We will share in a potluck lunch at 12:00 pm, followed by our general business meeting from 12:00 - 3:00 pm.  
(Daylight Savings Time begins this day)

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.

### DIRECTIONS

**From Richmond, Va. to is 71 miles and 1 hr. 30 min.**

- From Richmond go east on Rt. 360/ Mechanicsville Tnpk for 52 miles to Warsaw
- Turn right onto Rt. 3/ History Land Hwy for 18 miles to
- Turn right onto Peirce's Road
- Turn right onto Rt. 622/ Morattico Road to a two story white frame house with a big magnolia tree in the yard

**From Ladysmith, Va. to 1600 Morattico Road. is 78 miles, 1 hr. 30 min.**

- From Ladysmith south on I 95, 14 miles to King's Dominion/ Rt 30/ Dawn Blvd
- Turn left on Rt. 30 22 miles to Aylett. ( a left at Pollard's Corner onto Rt. 608/ Upsgaw Road. is a short cut to Aylett)
- Turn left on Rt. 360/ Richmond Tappahannock Hwy 26 miles to Warsaw,
- Turn right onto Rt. 3/ History Land Hwy for 18 miles to
- Turn right onto Peirce's Road
- Turn right onto Rt. 622/ Morattico Road.

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### Write For VICFA!

We'd love to feature your article in an upcoming newsletter.  
Contact [suzicroes@gmail.com](mailto:suzicroes@gmail.com)

We invite YOU  
to become a member and let your voice be heard...

JOIN NOW

Never doubt that a small group of thoughtful, committed citizens can change the world; indeed, it's the only thing that ever has.

Margaret Mead

## 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.

### MEMBERSHIP FORM (please print clearly) \* Required fields

\*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

*Note. Your directory listing will contain all of the above information unless you indicate otherwise below.*

How did you hear about VICFA?/Comments: \_\_\_\_\_

VICFA Communications  
VICFA VOICE Editor and Production- Suzi Croes

WE THANK ALL OF OUR CONTRIBUTING WRITERS- Anne Buteau, Christine Solem, Delois Stallman and Bernadette Barber

