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Details:

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**WISCONSIN STATE LEGISLATURE ...
PUBLIC HEARING - COMMITTEE RECORDS**

2005-06

(session year)

Assembly

(Assembly, Senate or Joint)

**Committee on ... Public Health
(AC-PH)**

COMMITTEE NOTICES ...

- Committee Reports ... CR
- Executive Sessions ... ES
- Public Hearings ... PH
- Record of Comm. Proceedings ... RCP

INFORMATION COLLECTED BY COMMITTEE FOR AND AGAINST PROPOSAL

- Appointments ... Appt
- Clearinghouse Rules ... CRule
- Hearing Records ... bills and resolutions
(ab = Assembly Bill) (ar = Assembly Resolution) (ajr = Assembly Joint Resolution)
(sb = Senate Bill) (sr = Senate Resolution) (sfr = Senate Joint Resolution)
- Miscellaneous ... Misc

Raw Milk and Raw Milk Products

Health, Safety, Economic and Legal Issues

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1. Health Benefits of Raw vs. Pasteurized Milk
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Safety of Raw vs Pasteurized Milk

Raw Milk is Uniquely Safe



Consider the calf, born in the muck, which then suckles on its mother's manure-covered teat. How can that calf survive?

Because raw milk contains multiple, redundant systems of bioactive components that can reduce or eliminate populations of pathogenic bacteria.

Built-In Protective Systems in Raw Milk

Lactoperoxidase

Uses small amounts of H_2O_2 and free radicals to seek out and destroy bad bacteria

In all mammalian secretions—breast milk, tears, etc.

Lactoperoxidase levels *10 times higher* in goat milk than in breast milk

Other countries are looking into using lactoperoxidase instead to pasteurization to ensure safety of commercial milk

British Journal of Nutrition (2000), 84, Suppl. 1. S19-S25.

Indian Journal Exp Biology Vol. 36, August 1998, pp 808-810.
1991 *J Dairy Sci* 74:783-787

Life Sciences, Vol 66, No 23, pp 2433-2439, 2000

Built-In Protective Systems in Raw Milk

Other Bio-Active Components I

Lactoferrin - Steals iron away from pathogens and carries it through the gut wall into the blood stream; stimulates the immune system.

Polysaccharides - Encourage the growth of good bacteria in the gut; protect the gut wall

Medium-Chain Fatty Acids – Disrupt cell walls of bad bacteria; levels so high in goat milk that the test for the presence of antibiotics had to be changed.

Enzymes – Disrupts bacterial cell walls.

Antibodies - Bind to foreign microbes and prevent them from migrating outside the gut; initiate immune response.

(British Journal of Nutrition (2000) 84. Suppl. 1, S3-S10, S11-S17)

Built-In Protective Systems in Raw Milk

Other Bioactive Components II

White Blood Cells – Produce antibodies against specific bacteria

B-lymphocytes – Kill foreign bacteria; call in other parts of the immune system

Macrophages – Engulf foreign proteins and bacteria

Neutrophils – Kill infected cells; mobilize other parts of the immune system

T-lymphocytes – Multiply if bad bacteria are present; produce immune-strengthening compounds.

Built-In Protective Systems in Raw Milk

Other Bioactive Components III

Lysosyme – Kills bacteria by digesting their cell walls.

Hormones & Growth Factors – Stimulate maturation of gut cells; prevents “leaky” gut.

Mucins – Adhere to bacteria and viruses, preventing those organisms from attaching to the mucosa and causing disease.

Oligosaccharides – Protect other components from being destroyed by stomach acids and enzymes; bind to bacteria and prevent them from attaching to the gut lining; other functions just being discovered.

Built-In Protective Systems in Raw Milk Other Bioactive Components IV

B12 Binding Protein – Reduces vitamin B-12 in the colon, which harmful bacteria need for growth

Bifidus Factor – Promotes growth of *Lactobacillum bifidus*, a helpful bacteria in baby's gut, which helps crowd out dangerous germs

Fibronectin – Increases antimicrobial activity of macrophages and helps to repair damaged tissues.

Destruction of Built-In Safety Systems by Pasteurization

Component	Breast Milk	Raw Milk	Pasteurized Milk	Infant Formula
B-lymphocytes	X	X	inactivated	inactivated
Macrophages	X	X	inactivated	inactivated
Neutrophils	X	X	inactivated	inactivated
Lymphocytes	X	X	inactivated	inactivated
IgA/IgG Antibodies	X	X	inactivated	inactivated
B12 Binding Protein	X	X	inactivated	inactivated
Bifidus Factor	X	X	inactivated	inactivated
Medium-Chain Fatty Acids	X	X	reduced	reduced
Fibronectin	X	X	inactivated	inactivated
Gamma-Interferon	X	X	inactivated	inactivated
Lactoferrin	X	X	inactivated	inactivated
Lysozyme	X	X	inactivated	inactivated
Mucin A/Oligosaccharides	X	X	reduced	inactivated
Hormones & Growth Factors	X	X	reduced	inactivated

Campylobacter

The most common cause of food-borne illness

While raw milk often gets the blame for food-borne illnesses, *Campylobacter* is best known for contaminating meats.

Meats sampled for *Campylobacter* from 59 Washington, DC grocery stores during 1999-2000.

	No of Samples	% Positive
Chicken	184	70.7%
Turkey	172	14.5%
Pork	181	1.7%
Beef	182	0.5%

Pathogens Can Multiply in Pasteurized Milk and Other Foods But Not in Raw Milk

Campylobacter in raw milk (4°)

Day 0 = 13,000,000/ml

Day 9 = less than 10/ml

(Doyle, et al. *Applied and Environmental Microbiology*, 1982;44(5):1154-58)

Campylobacter in raw milk (37°)

Bovine strains decreased by 100 cells/ml in 48 hrs

Poultry strains decreased by 10,000 cells/ml in 48 hrs

(Diker KS. *Mikrobiyol Bul* 1987 Jul;21(3):200-5)

Raw Milk Destroys Pathogens Through Challenge Tests

**Lactoperoxidase in raw milk kills added fungal and
bacterial agents**

Life Science 2000 66(25):2433-9

Indian Journal of Experimental Biology 1998;36:808-11

**Raw goat milk kills campylobacter jejuni in a
challenge test.**

Hygiene (London) 1985 Feb;94(1):31-44.

Pasteurized Milk More Hazardous Than Raw Milk

RAW MILK: Incidence of food-borne illness from raw milk – 1.9 cases per 100,000 people, 1973-1992.

(American Journal Public Health Aug 1998, Vol 88, No 8)

PASTEURIZED MILK: Based on CDC website, incidence of food-borne illness from all foods including pasteurized milk – 4.7 cases per 100,000 people, 1993-1997. (US Census Bureau 1997 population estimate 267,783,607)

OTHER FOODS: Based on CDC website of reported food-borne illness from other foods – 6.4 cases per 100,000 people, per year from 1993-1997.

THEREFORE, the incidence of food-borne illness from consuming raw milk is 2.5 times lower than the incidence of food-borne illness from consuming pasteurized milk; and 3.5 times lower than the incidence of food-borne illness from consuming other foods.

Food-borne Illnesses Associated with Milk: A Comparison with Other Foods - 1997

Food	No. of Outbreaks	%	No. of Cases	%
Milk	2	0.4	23	0.2
Salads	21	4.2	1104	9.2
Fruits and Vegetables	15	3.0	719	6.0
Eggs	3	0.6	91	0.8
Chicken	9	1.8	256	2.1

MMWR Vol 45, No SS-5

**Pasteurized milk is safer than other foods
and raw milk is safer than pasteurized milk.**

Of All Foods, Milk has the Lowest Incidence of Reported Food-Borne Illnesses (0.2%)

On a case-by-case basis, persons consuming milk from ANY source (raw or pasteurized) are:

- 30 times more likely to become ill from fruits and vegetables
- 13 times more likely to become ill from beef
- 11 times more likely to become ill from chicken
- 10 times more likely to become ill from potato salad
- 2.7 times more likely to become ill from non-dairy beverages

REPORTED OUTBREAKS OF FOOD BORNE ILLNESS

RAW MILK WARNING LABEL

No outbreaks of human illness from consumption of raw milk in California.

No outbreaks of human illness from consumption of raw milk in California.

No outbreaks of human illness from consumption of raw milk in California.

No outbreaks of human illness from consumption of raw milk in California.

No outbreaks of human illness from consumption of raw milk in California.

No outbreaks of human illness from consumption of raw milk in California.

No outbreaks of human illness from consumption of raw milk in California.

PASTEURIZED MILK NO WARNING LABEL

1997, 28 persons ill from *Salmonella* in California, ALL FROM PASTEURIZED MILK.

1996, 46 persons ill from *Campylobacter* & *Salmonella* in California.

1994, 105 persons ill from *E. coil* and *Listeria* in California

March of 1985 19,660 confirmed cases of *Salmonella typhimurium* illness FROM CONSUMING PROPERLY PASTEURIZED MILK. Over 200,000 people ill from *Salmonella typhimurium* in PASTEURIZED MILK

1985, 142 cases and 47 deaths traced to PASTEURIZED Mexican-style cheese contaminated with *Listeria monocytogenes*. *Listeria monocytogenes* SURVIVES PASTEURIZATION!

1985, 1500 persons ill from *Salmonella* infection

August of 1984 approximately 200 persons became ill with a *Salmonella typhimurium* from CONSUMING PASTEURIZED MILK

November of 1984, another outbreak of *Salmonella typhimurium* illness from CONSUMING PASTEURIZED MILK

1983, over 49 persons with *Listeria* illness have been associated with the consumption of PASTEURIZED MILK in Massachusetts.

1993, 28 persons ill from *Salmonella* infection

1982, 172 persons ill (100 hospitalized) from a three Southern state area from PASTEURIZED MILK.

1982, over 17,000 persons became ill with *Yersinia enterocolitica* from PASTEURIZED MILK bottled in Memphis, Tennessee.

OTHER FOODS NO WARNING LABEL

Massachusetts, June 1996, 38 persons ill and possibly contributing to one death from food contaminated with *Salmonella* served in a Wendy's restaurant.

Idaho, September 1995, 11 people ill due to *E. coil* 0157:H7 traced to food eaten in a Chili's restaurant in Boise.

Florida, August 1995, 850 people ill from *Salmonella Newport* bacteria in chicken served at Margarita y Amigos restaurant in West Palm Beach.

Utah, January 1995, 96 people ill from hepatitis A traced to an employee of a Taco Bell restaurant in Salt Lake City

Washington, DC, August 1994, 56 people ill and 20 hospitalized from *Salmonella* in Hollandaise sauce.

Georgia, October 1993, one dead, 7 others ill from botulism in canned cheese sauce.

Illinois, June 1993, 41 people ill, 25 hospitalized from *Salmonella* in food served at a Mexican restaurant.

Oregon, March 1993, 48 people ill from *E. coil* 0157:H7 in mayonnaise served at Sizzler restaurant.

An additional 50 cases of illness caused by *E. coil* 0157:H7 bacteria in food served in Sizzler's restaurants in Oregon and Washington were reported to CDC in 1993.

The western US, December 1992 to January 1993, 700 people ill from *E. coil* 0157:H7 in hamburgers served at Jack-in-the-Box restaurants in Washington, Idaho, Nevada and California. Nearly 100 of the victims developed hemolytic uremic syndrome, a serious complication resulting from *E. coil* 0157:H7 infection, and four children died.

The Money that Pays for Our Food is a Source of Pathogens

E. Coli has been shown to survive on coins for 7-11 days at room temperature.

Salmonella enteritidis can survive 1-9 days on pennies, nickels, dimes and quarters.

Salmonella enteritidis can also survive on glass and teflon for up to 17 days.

Jiang and Doyle. *Journal of Food Protection* 1999;62(7):805-7

Soy Products Contain Pathogens

1998 survey looked at 4 brands of soymilk; five types of microorganisms found in stored soymilk samples. During storage at 5 degrees C, microbial counts increased sharply after 2-3 weeks.

Journal of Food Protection, Vol 61, No 9, 1998, pp 1161-1164.

1978 survey found *Salmonella* in many “health food” products, including soy flour, soy protein powder and soy milk powder. “The occurrence of this pathogen in three types of soybean products should warrant further investigation of soybean derivatives as potentially significant sources of *Salmonella*.”

Applied and Environmental Microbiology, Mar 1979, pp 559-566.

Breast Milk Contains Pathogens

MISCONCEPTION: Until recently, the medical profession claimed that breast milk was sterile.

PATHOGENS: We now know that breast milk contains pathogens.

PASTEURIZE BREAST MILK? Should mothers be required to pasteurized their own milk before giving it to their babies?

DISCRIMINATION: Yet laws prevent mothers from obtaining raw milk to feed their babies should their own supply be inadequate.

Pasteurization Reduces Protective Effects of Breast Milk

1984 Study involving high-risk premature infants

Type of Milk	Rate of Infection
Pasteurized human milk + formula	33.0%
Raw human milk + formula	16.0%
Pasteurized human milk	14.3%
Raw human milk	10.5%

The Lancet, Nov 17, 1984

Reports of Food-Borne Illness in Raw Milk

Several reports of pathogens “associated” with raw milk were published in the 1980s. But these reports failed to isolate the pathogen from the milk itself, or failure to account for other lifestyle variables of the persons becoming ill.

(Mann NR *Public Health Reports* 2001;103:5)

In the two decades between 1984 and 2002, reports of outbreaks associated with raw milk produced in the US are almost non-existent.

Dairy farmers are now managing for bacteria counts of less than 20,000/ml versus 100,000/ml in commercial milk.

Bias in Reporting Safety of Raw Milk

OUTBREAK of campylobacter infection in Atlanta,
Georgia

EXTENSIVE TESTING failed to find campylobacter or any other pathogens in any milk products from the dairy. All safety measures had been followed faithfully.

AUTHORS' CONCLUSION: "The only means available to ensure the public's health would be proper pasteurization before consumption."

Bias in Reporting Safety of Raw Milk

MEXICAN CHEESE: Several incidences of food-borne illness from Mexican-style soft cheeses.

BLAMED ON LACK OF PASTEURIZATION: Officials claim that illness caused by lack of pasteurization.

ACTUALLY DUE TO FAULTY PASTEURIZATION: These cheeses were actually heated but not quite thoroughly pasteurized, so that the protective mechanisms were destroyed, but not all the pathogens. Officials refer to these cheeses as “raw.”

CASES of TB: Several cases of TB among Mexicans consuming typical Mexican foods including soft cheeses have been blamed on the cheese without regard to other lifestyle factors. It is not even clear that TB can be contracted from milk products.

Bias in Reporting Safety of Raw Milk

OUTBREAK: November 2001 outbreak of campylobacter in Wisconsin blamed on raw milk from a cow-share program in Sawyer County. The farm has an outstanding safety record.

OFFICIAL REPORT: 70-75 persons ill. (CDC Website)

INDEPENDENT REPORT: Over 800 ill during 12 weeks following Nov 10, 2001.

HAMBURGER LIKELY CAUSE: Only 24 of 385 cow-share owners became ill. Most had consumed hamburger at a local restaurant. No illness in remaining 361 cow-share owners.

BIAS: Local hospitals tested only those who said they had consumed raw milk; others sent home without investigation.

LAB TESTS CLEAN: Independent lab tests found no campylobacter in the milk.

Bias in Reporting Safety of Raw Milk

CDC Report: In 2002, an outbreak of Salmonella

Typhimurium was caused by the consumption of raw milk purchased at a dairy producing certified milk in Ohio.”

According to the CDC report : “The source for contamination was not determined; however, the findings suggest that contamination of milk might have occurred during the milking, bottling or capping process.”

There were many possible of vectors of illness on the dairy besides raw milk.

The dairy, which had been in business for decades without incident, caved in to health department pressure.

Herd Management and Raw Milk Safety

Consumers are avoiding commercial milk not only because it is pasteurized, but also because it comes mostly from cows kept in confinement, a situation that encourages poor health and disease (confinement cows live an average of 42 months versus 12-15 years for a cow on pasture.)

Dutch researchers found much lower rates of *Salmonella* infections in dairy herds and cows with access to pasture.

(Vaessen MA et al. Tijdschr Diergeneeskd 1998;123(11):349-51)

Raw Milk Production Today

Compared to 30-50 years ago, dairy farmers today can take advantages of many advancements that contribute to a safe product:

Managed rotational grazing, ensures healthy cows

Herd testing for disease

Refrigerated bulk tanks

Refrigerated transportation

Easier milk testing techniques

Heat Resistant Pathogens in Pasteurized Milk

Johne's bacteria (paratuberculosis bacteria)—
Suspected of causing Crohn's disease, now
routinely found in pasteurized milk

B. Cereus spores survive pasteurization

Botulism spores survive pasteurization

Protozoan parasites survive pasteurization

Elliott Ryser. Public Health Concerns. In: Marth E, Stelle J, eds.
Applied Dairy Microbiology, New York, Marcel Dekker, 2001.

Safety of Goat Milk and Goat Milk Cheese

Amount of goat milk consumed in the US is about 160,000,000 gallons per year (conservative estimate), most of it unpasteurized

Raw goat milk and raw goat milk cheese is consumed in greater amounts than cows milk and cows milk cheese in many countries.

Despite widespread usage with or without the aid of refrigeration and pasteurization, goat milk has an impressive safety record.

The European Union has recognized the safety of raw unaged goat milk cheeses processed on the farm.

Raw goat milk has saved the lives of many babies who could not tolerate infant formula or cows milk.

Health Benefits of Raw vs Pasteurized Milk

Proteins in Milk

MILK PROTEINS: Three dimensional, like tinkler toys

CARRIERS: Carry vitamins and minerals through the gut into the blood stream; enhance the immune system; protect against disease

IMMUNE DEFENSE: Pasteurization and ultra-pasteurization flatten the three-dimensional proteins; the body thinks they are foreign proteins and mounts an immune defense.

DISEASES: Immune attacks lead to juvenile diabetes, asthma, allergies and other disorders later in life

ALLERGIES: More and more people unable to tolerate pasteurized milk; one of the top eight allergies; some have violent reactions to it.

Bias in Reporting Health Benefits

STUDY: 20,000 poor children (ages 5-12) in Lanarkshire schools in Scotland, funded in part by individuals in the dairy industry.

THREE GROUPS: 5,000 given $\frac{3}{4}$ pint raw milk per day; 5,000 given $\frac{3}{4}$ pint pasteurized milk per day; 10,000 received nothing.

“NO DIFFERENCE”: Published final report (*Nature*, March 21, 1931) stated that those receiving milk had increase in rate of growth and that “the effects of raw and pasteurized milk on growth in 3 weight an height are, so far as can be judged from this experiment, equal.”

“RAW MILK BETTER”: Bias caught by two scientists (Fisher and Bartlett) who published a critical evaluation of the original authors’ conclusions (*Nature*, April 18, 1931). Growth, especially in boys, was actually better in those receiving raw milk.

Adulterated Food Definition

A food shall be deemed to be adulterated:

- (a) if:
 - (1) It bears or contains any poisonous or deleterious substance which may render it injurious to health; but in case the substance is not an added substance, the food shall not be considered adulterated under this subdivision if the quantity of the substance in the food does not ordinarily render it injurious to health.

**According to this FDA definition,
pasteurized milk is an adulterated food.**

Effect of Commercial Pasteurization Temperatures on Vitamin Availability in Milk

A	No significant change
B-1	Down 3-20%
B-6	Inactivated
B-12	Down 10% but carrier proteins destroyed
Riboflavin	Heat stable, but light sensitive
Sodium	No significant change
C	Down 77% upon storage
D	Down, fortified
E	Down 15%
K	No significant change

Effect of Commercial Pasteurization Temperatures on Mineral Availability in Milk

Selenium	Down 9.7%
Iron	Down 66%
Copper	Up 44%
Zinc	Down 69.4%
Sodium	No significant change
Potassium	No significant change
Calcium	Down 21%
Magnesium	No significant change

Other Health Benefits

There are many non-vitamin components of milk that contribute to better health and growth and maturation in children.

Nucleosides and nucleotides

Polyamines

Oligosaccharides

Transfer proteins

Peptides affecting coagulation and blood pressure

Immunomodulatory peptides

Antioxidants

Many of these components are heat labile, and are reduced or destroyed by pasteurization

Children fed raw milk have more resistance to TB than children fed pasteurized milk.
(*Lancet*, p 1142, 5/8/37)

Pathological organisms do not grow in raw milk but proliferate in pasteurized milk.
(*The Drug and Cosmetic Industry*, 43:1:109, July 1938)

Raw milk prevents scurvy and protects against flu, diphtheria and pneumonia.
(*Am J Dis Child*, Nov 1917)

Raw milk prevents tooth decay. (Lancet, p 1142, 5/8/37)

Raw milk promotes growth and calcium absorption.
(*Ohio Agricultural Experiment Station Bulletin* 518, p 8, 1/33)

Raw cream prevents joint stiffness. (Annual Review of Biochemistry, 18:435, 1944)

Raw milk protects against asthma and allergic skin problems. (Lancet 353:1485, 1999)

After three generations on pasteurized milk, cats developed numerous health problems and pathologies of behavior. At four generations, all reproduction ceased.
(*Pottenger's Cats*, 1983, Price-Pottenger Nutrition Foundation)

Pasteurization destroys B complex, C, D, enzymes and whey proteins.
(See numerous abstracts listed at www.realmilk.com)

Studies on Raw vs Pasteurized Milk at Randleigh Farm, 1935-1940

H I S T O R Y O F R A N D L E I G H F A R M



Rat fed only raw milk from cows fed dry ice grass silage and grain. Notice absence of acrodynia.

Above: Rat fed only raw milk. Good development, healthy fur.



Rats fed only pasteurized milk from cows fed dry ice grass silage. Hairless areas (acrodynia) are due to a deficiency of vitamin B₆.

Below: Rats fed only pasteurized milk. Poor development. Hairless areas (acrodynia) due to deficiency of vitamin B-6.



Internal Development, Raw vs Pasteurized

Rat fed pasteurized milk has poor color and compromised integrity of internal organs.

Raw Milk vs. Pasteurized

There IS a difference!

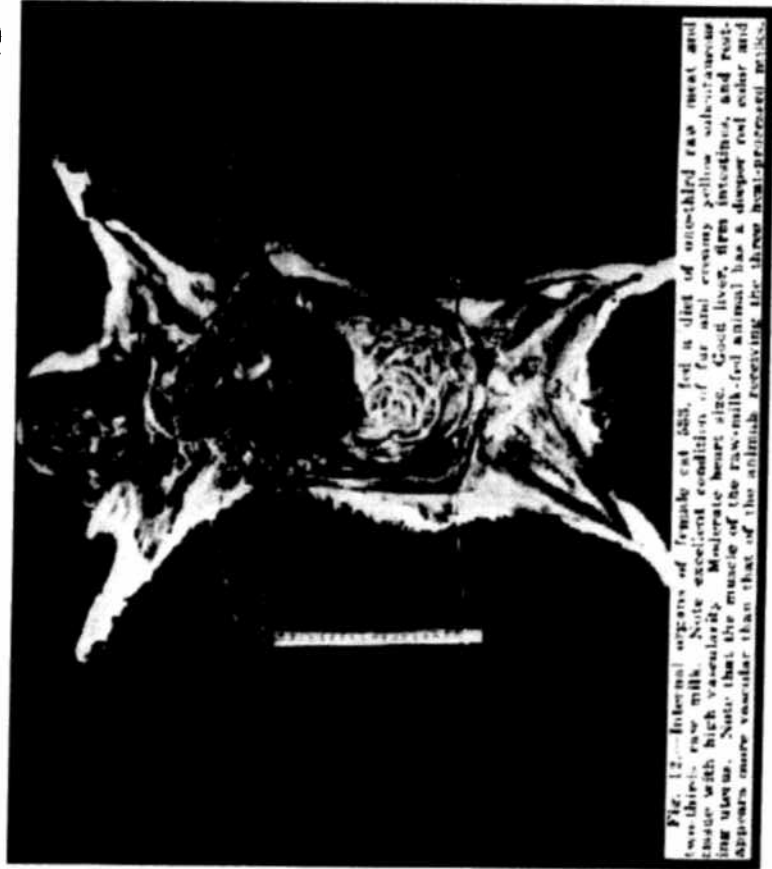


Fig 12. Internal organs of a female cat fed diet of one-third raw meat and two-thirds raw milk. Note excellent condition of fur and creamy yellow subcutaneous tissue with high vascularity. Moderate heart size. Good liver, firm intestines and resting uterus.

Francis Pottenger lecture for Randleigh Farms.

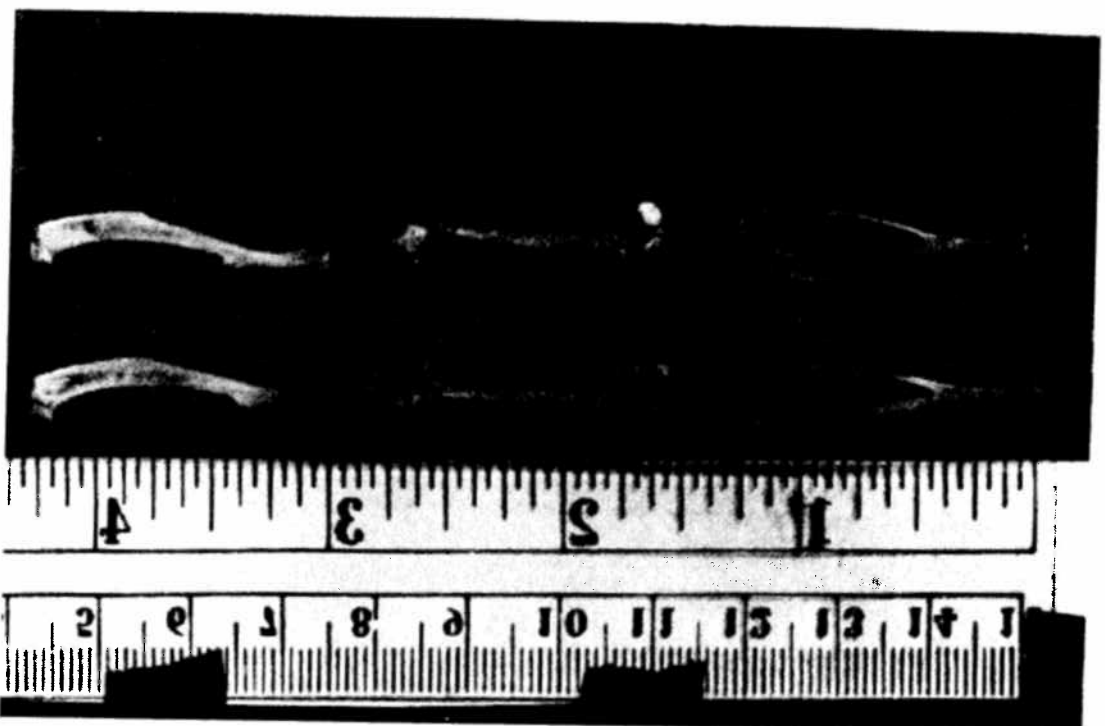


Fig 13. Internal organs of female cat fed diet of one-third raw meat and two-thirds pasteurized milk. Note poor tone of skin and inferior quality of fur. Fair heart. Slight fatty atrophy of the liver. Lack of intestinal tone; moderate distention of the uterus. Skin has a purplish discoloration due to congestion.

Bone Development

Six-Month
Study

**PASTEURIZED-
Milk-Fed Rat**
Weighed 146
grams
Bones shorter
and less dense



**RAW-Milk-
Fed Rat**
Weighed
206 grams
Bones
longer and
more
dense

One-to-One Exposure of Femur, Tibia and Fibia

Guinea Pig Studies of Dr. Rosalind Wulzen and Alice Bahrs, Department of Zoology, Oregon State College

Whole Raw Milk	Excellent growth; no abnormalities
Whole Pasteurized Milk	Poor growth; muscle stiffness; emaciation and weakness; death within one year. Autopsy revealed atrophied muscles streaked with calcification; tricalcium deposits under skin, in joints, heart and other organs.

**Rat Studies of Dr. Ernest Scott and Professor
Lowell Erf, Ohio State University**

<p>Whole Raw Milk</p>	<p>Good growth; sleek coat; clear eyes; excellent dispositions; enjoyed being petted.</p>
<p>Whole Pasteurized Milk</p>	<p>Rough coat; slow growth; eyes lacked luster; anemia; loss of vitality and weight; very irritable, often showing a tendency to bite when handled.</p>

The Milk Cure

ANCIENT: Since ancient times, an exclusive raw milk diet has been used to cure many diseases.

MAYO CLINIC: In the early 1900s, the “Milk Cure” was used at the Mayo clinic to successfully treat cancer, weight loss, kidney disease, allergies, skin problems, urinary tract problems, prostate problems, chronic fatigue and many other chronic conditions.

ONLY WITH RAW MILK: The Milk Cure only works with raw milk; pasteurized milk does not have these curative powers.

Economic Issues

Conventional Dairy Farm Economics

30 Cows Producing 190 hundredweight of milk per year

Farmers receives about \$10 per hundredweight –
lowest price in 25 years

Gross income \$57,000 per year

Costs include feed (to get high milk yield), vet bills and
replacement cows (average life of cow is 42 months)

**In 2002, dairy farms went out of business at a rate
of 16 farms per day**

Economics of Pasture-Based Mixed Farm with Direct Sales

30 Cows on 100 Acres

Cows produce 100 hundredweight of milk each per year

Farmer sells milk at \$4 per gallon and equivalent price for cream, butter and cheese

Gross income from milk and milk products = \$150,000

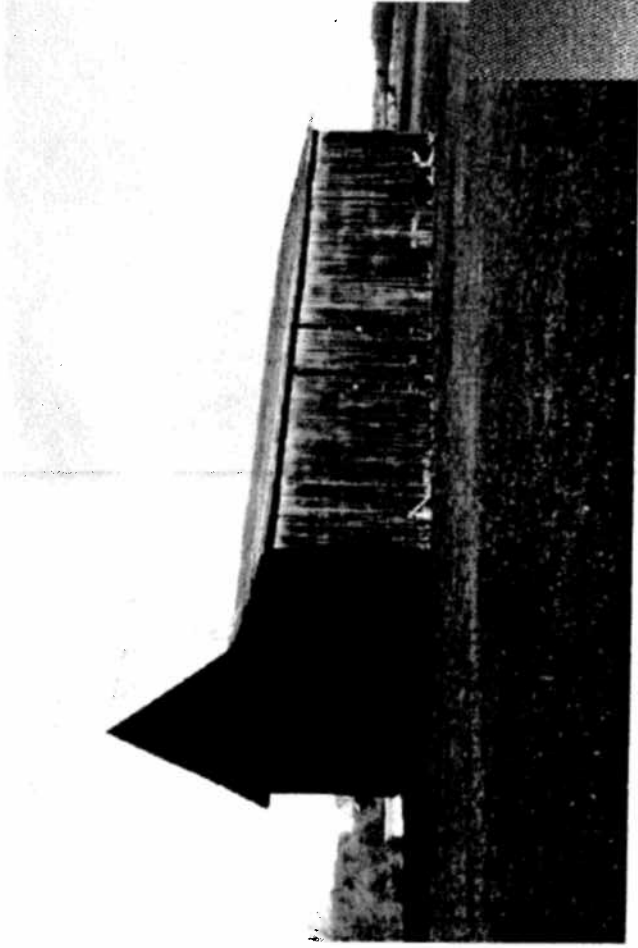
Minimal input for feed, vet bills; no replacement cow costs

PLUS – whey and skim milk used to feed pigs and chickens. Income for eggs, broilers, turkeys, pork, beef, veal and broth = \$50,000 with minimal input for feed, etc.

TOTAL INCOME \$200,000 with much lower costs

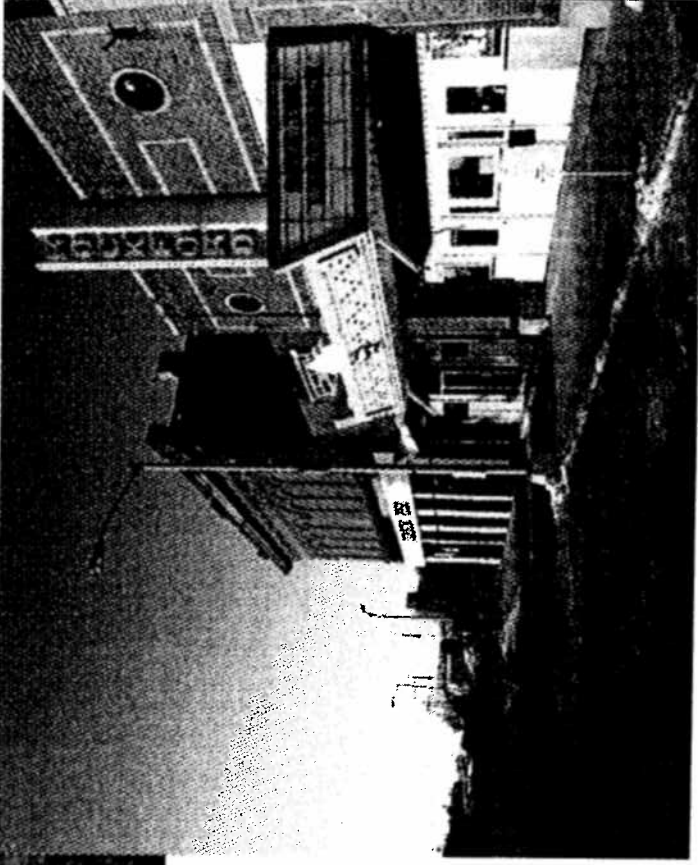
If 10% of the population would buy raw milk and other products directly from the farm, we would need 75,000 farms, all making at least \$200,000 per year – potential for huge rural revival.

The Wasteland



Compulsory pasteurization laws are largely responsible for the decline of American small towns and rural life.

Pasteurization laws turn transform should be a local value-added product into a commodity product.



Tourism

Legalization of sale of wine at wineries made Virginia wineries economically viable and increased tourism income for the state.

Small farms, beautiful countryside and locally produced food are all important factors in a successful tourist economy

Recognizing the importance of a healthy farming community, the state of Pennsylvania has embraced raw milk sales and on-farm raw milk processing to encourage tourism in the state.

The state of Alabama has found that support of corporate farms and the decline of small farms has resulted in the disappearance of open fields, reemergence of woodlands and a decline in tourism. Tourists find the woods “spooky.”

Legal Issues

Texas Ruling Struck Down State Provision Outlawing Raw Milk Sales Across State Border

“ . . . The regulation not only prohibits Dexter [of White Egret Farm] from selling her milk in other states, it also prohibits citizens of other states from purchasing Dexter’s milk unless those citizens personally travel to Dexter’s farm in central Texas to make payment and accept delivery. The burden on interstate commerce is effectively absolute, and the restriction thus violates the Commerce Clause.

Texas State Court Ruling signed by the
Commissioner of Health, November 2002

Potential for Abuse with Restrictive Laws Against Raw Milk

In the White Egret Farm case, Texas dairy inspector Joe Dixon wrote an email to staff stating “Where and all do we meet for the White Egret Cluster F***?” The law will be an invitation for bureaucrats to harass hard-working small farmers in a similar fashion.

Case of Esther Mahone of Hayter’s Gap in Washington County, Virginia. Esther had been selling raw milk, butter and cottage cheese from her home for over 30 years. A recent call from the local dairy inspector so terrified her that she immediately sold her two cows and disposed of her inventory, taking away her livelihood. Mrs. Mahone was simply exercising her constitutional right to enter into a sales contract with other citizens.

Rights of Small Farmers

The Fourteenth Amendment, Section 1: No state shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty or property without due process of law; nor deny to any person within its jurisdiction the equal protection of the law.

Small farmers are becoming organized. They know that

- Inspectors and official must abide by the Constitution
- Inspectors and officials can be sued individually

Rights of Consumers

The Fourteenth Amendment, Section 1: No state shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty or property without due process of law; nor deny to any person within its jurisdiction the equal protection of the law.

We have a serious health crisis today, especially among our children. One in 150 children is autistic and even greater numbers suffer from serious allergies. In cases such as these, raw milk has been a life-saver, the only nourishing food that these children can tolerate.

Parents are becoming organized. Laws that prohibit the sale of raw milk and raw milk products violate the 14th amendment rights of themselves and their children to life, liberty and the pursuit of happiness. They know that

- Inspectors and official must abide by the Constitution
- Inspectors and officials can be sued individually

Constitutionality

**Regulations Limiting the Sale of Raw Milk
are Unreasonable and Do Not Provide Equal
Protection Under the Law**

U.S. Constitution

Fourteenth Amendment

PMO Check-Rating Score

The Virginia dairy department argues that sale of raw milk and milk products “has an impact on Virginia’s PMO check-rating score, which is determined by the federal government. The check-rating score impacts the entire dairy industry whereby if the score falls below a certain point, then Virginia Dairymen will not be able to ship their milk out of state, having a detrimental impact on the entire dairy industry.”

This issue is a red herring. The individual states do not need to follow the PMO. The PMO is a choice, not an obligation.

California, the top milk-producing state, does not follow the PMO but created its own regulations.

Furthermore, the State can accept the PMO but have exceptions in certain areas, as does Colorado.

Raw Milk Legal Status in Top 10 Milk Production States

1. California – 2903 million pounds in 2003 – Raw milk sales are legal in retail stores.
2. Wisconsin – 1852 million pounds in 2003 – In January, 2005, a raw milk bill was submitted to the Wisconsin legislature
3. New York – 1015 million pounds in 2003 – Raw milk sales are permitted on the farm.
4. Pennsylvania – 855 million pounds in 2003 – Raw milk sales are legal both on the farm and retail
5. Minnesota – 691 million pounds in 2003 – State Constitution stated in Article XIII, Section 7: Any person may sell or peddle the products of the farm or garden occupied and cultivated by him without obtaining a license therefor.
6. Idaho – 734 million pounds in 2003 – Raw milk sales are legal with a license
7. New Mexico – 565 million pounds in 2003 – Raw milk and raw milk products sales are legal both on the farm and in retail stores
8. Michigan – 511 million pounds in 2003 – Raw milk sales are illegal but the state condones cow sharing programs
9. Washington – 467 million pounds in 2003 – Grade A dairies may sell raw milk
10. Texas – 471 million pounds in 2003 – Raw milk sales are permitted

Trends in Various US States and Overseas

Trends in Other States I

Arizona – A new dairy is gearing up for commercial raw milk distribution in Phoenix and Tucson. Retail sales permitted. Huge demand.

California – Raw milk widely available in health food stores

Colorado – Cow shares recently approved by 5-3 vote; legislation to legalize provision of on-farm raw milk is pending.

Connecticut – Bill to ban raw milk sales voted down in committee several years ago. Raw milk available in stores.

Oregon – Raw milk shipped in from California now being sold in stores as pet food.

Trends in Other States II

Massachusetts – Many new dairies selling raw milk from the farm; Raw milk has support of Northeast Organic Farmers Association.

Michigan – Several cow share programs attracting interest because of the financial advantages to farmers.

Nebraska – Legislation pending to allow advertising and delivery of raw milk and two-tiered processing regs of raw milk products; has support of the state Department of Agriculture.

New York – Many new farms selling raw milk. NY Department of Agriculture considering expanding scope of raw milk permits to include other raw dairy products (recognition that raw milk is good for local economies)

Trends in Other States III

Pennsylvania – Current government very sympathetic to raw milk and on-farm processing. Encouraging more raw milk permits. Raw milk available for retail sale in stores.

South Carolina – Raw milk now for sale in some retail establishments.

Texas – Department of Agriculture defeated in attempt to shut down White Egret Farm goat dairy. Raw milk widely available through milk clubs.

Washington – The state Department of Agriculture is trying to pass legislation removing the prohibition on producers hand-capping bottles. This would make it easier for small dairies to provide raw milk.

Wisconsin – About a dozen cow-share or herd-share programs throughout the state. Very popular with consumers and farmers.

Other Trends

European Union – New regulations allow on-farm processing of un-aged raw goat cheeses and sales to restaurants and farmers markets.

Europe – Most European nations allow on-farm sales of raw milk and raw milk products.

Internet – Raw milk and raw milk products widely available on the internet.

Suggested Attachments

Saving the Raw-Milk Cheeses of Province by Madeline Veidel

Abstracts on the Effect of Pasteurization on the Nutritional Value of Milk

Raw Milk Cures Many Diseases by JR Crewe, MD

Press Release, July 14, 2002: Wisconsin Campylobacter Outbreak Falsely Blamed on Raw Milk

Francis M. Pottenger, MD, and “the Hazards of a Health Fetish”

The Untold Story of Milk (book) by Ron Schmid, ND

Note to those giving this presentation: The above suggested articles for attachment can be accessed at realmilk.com. You will also want to attachment materials relevant to the situation in your state.