



ODA Revises Policy on Raw Milk

March 21, 2007

Raw milk was back on the table Wednesday as lawmakers considered the latest proposal to decriminalize the unpasteurized product while word broke that the Ohio Department of Agriculture was dropping its benchmark case against a Darke County dairy - the new policy of Gov. Strickland.

Sen. Larry Mumper (R-Marion), who tendered SB95 before the Senate Agriculture Committee, said the decision to halt state action against "herd sharing" operations had come as early as Tuesday. Under herd-share agreements, health proponents purchase a share of dairy cattle domiciled on a farm they don't operate in exchange for the raw milk.

The move by Strickland and ODA follows contentious testimony last year that saw ag officials, medical researchers, and commercial dairies unite against raw milk proponents in expansive hearings before the House Agriculture Committee. President Thomas Fleming of Ohio Dairy Producers joined former ODA Director Fred Dailey in a lengthy and detailed indictment of the raw milk movement and an equally thorough review of commercial processing, saying most milk consumed in Ohio is tested and transported by a state licensed and trained milk hauler after further tests at the dairy, as supervised by the department's Dairy Division. The producer then heats the milk to at least 161 degrees Fahrenheit for pasteurization.

On the other side, the Raw Milk Organization of Ohio and the Ohio Ecological Food and Farm Association were backed by President Joe Logan of the Ohio Farmers' Union and dairy engineer Warren Taylor, a raw milk proponent who graduated from The Ohio State University in dairy technology before joining what he described as the nation's largest milk processing organization. He later assisted the formulation of current federal standards on pasteurization. Taylor noted raw milk is sold by California retailers under the California Department of Agriculture, laying blame for the opposition in Ohio on its commercial food industry and regulatory infrastructure. He suggested agri-business and distribution monopolies had much to lose with a growth in natural food consumption, noting one third of the price of a gallon of milk goes to commercial processors and packagers.

Dailey was unswayed by institutional proponents and civilian witnesses, signaling his intentions last September by yanking the license of the Schmitmeyer Dairy for operating under herd-share agreements. In December, the Darke County Common Pleas Court ordered ODA to take no further against the dairy and overturned the revocation of its milk license. The state filed an appeal, which current developments have brought to an end.

The current bills - SB95 and HB52 (Setzer) - and their predecessors would go beyond simple herd-share agreements, however, allowing the sale of raw milk to the general public at specially licensed dairy farms. The governor has yet to indicate his position on the larger proposal, which continued hearings in the House and Senate should make clear.