

Education ♦ Research ♦ Activism

THE WESTON A. PRICE FOUNDATION®

for **Wise Traditions** in Food, Farming and the Healing Arts

BOARD OF DIRECTORS

Sally Fallon Morell, MA, President and Treasurer
Mary Enig, PhD, FACN, CNS, Vice President
Geoffrey Morell, ND, JP, Secretary
Tom Cowan, MD
Cherie Calvert
Kaayla T. Daniel, PhD, CCN
Valerie Curry Joyner

June 18, 2010

Dear Valued Member,

Here in America, we all have the right to purchase and consume the foods of our choice, foods we need for our own health and the health of our families, right? Not according to the FDA! The FDA's response to our current legal challenge shows us exactly what we are up against – and why the Farm-to-Consumer Legal Defense Fund needs your continued financial support.

On February 19 of this year, the Farm-to-Consumer Legal Defense Fund (the Fund) filed a lawsuit against the FDA and the United States Department of Health and Human Services to challenge federal regulations banning the transport and sale of raw milk across state lines. On April 26, FDA filed its response to the lawsuit, providing a public record of what the agency's views on food freedom of choice really are.

Here are some of FDA's shocking claims:

- "There is no absolute right to consume or feed children any particular food."
- "Plaintiffs' assertion of a 'fundamental right to their own bodily and physical health, which includes what foods they do and do not choose to consume for themselves and their families' is similarly unavailing because plaintiffs do not have a fundamental right to obtain any food they wish."
- "There is no 'deeply rooted' historical tradition of unfettered access to foods of all kinds."

Fortunately, we have the Fund to defend our farmers and consumers, and with a large membership and diverse financial support, the Fund will have the resources to protect your right to healthy food.

Three years ago, on Independence Day, July 4, 2007, the Weston A. Price Foundation helped launch the Fund to

GENERAL COUNSEL

James Turner, Esq.

HONORARY BOARD

Jen Allbritton, BS, CN
Christian B. Allen, PhD
Naomi Baumslag, MD, MPH
Marie A. Bishop, CDC
Jerry Brunetti
Natasha Campbell-McBride, MD
Lee Clifford, MS, CCN
Christopher Cogswell, MA
Monica Corrado
Janice Curtin
Eric Davis, BDSc, DAC, DCN
William Campbell Douglass, MD
Sara Bachman Ducey, MS, CNS
James A. Duke, PhD
Carol Esche, DNP, MA, RN, CNA
Mike Fitzpatrick, PhD
Ruth Ann Foster, MA
Donna Gates, BS, MEd
Zac Goldsmith, Editor, The Ecologist
Nicholas Gonzalez, MD
Trauger Groh
Joann S. Grohman
Barry Anthony Groves
Beatrice Trum Hunter, MA
Richard James, MBA, LLD
Mark A. Kastel
Larry Klein
Kilmer McCully, AB, MD, MA (hon)
Frank Melograna, MD
Carlos Monteiro
Kenneth Fielding Morehead, DOM
David Morris, BS, DC
Kathryn Pirtle, BS, MA
Bruce Rind, MD
Julia Ross, MA
Beverly Rubik, BS, PhD
Jordan S. Rubin, NMD, CNC
Ethan Russo, MD
Adrienne Samuels, PhD
Jack Samuels, MSHA
Ron Schmid, ND
Andreas Schuld
Frederick I. Scott, Jr, BE, MS
C. Edgar Sheaffer, VMD
Ted Spence, DDS, ND
Rebecca L. Stearns, LAc, DAC
Alana Sugar, CN
Krispin Sullivan, CN
Joe Tarantolo, MD
Beverly B. Teter, PhD, FACN, CNS
John Umlauf
Susun S. Weed
David Wetzel, BS
Bruce West, DC
Louisa L. Williams, MS, DC, ND
George Yu, MD

defend the rights and broaden the freedoms of family farms and to protect consumer access to raw milk and other nutrient-dense foods.

Here are some of the ways the Fund has put your money to work:

1. CHALLENGING THE FDA TO INCREASE OUR ACCESS TO RAW MILK

The Fund has filed a lawsuit seeking to overturn two federal regulations banning raw dairy products for human consumption in interstate commerce. The suit is asking the court to declare FDA's prohibition as unconstitutional and beyond its statutory authority. FDA is at the center of the opposition to raw milk, pressuring the states to outlaw its sale and distribution. Overturning the ban is key to securing access to raw milk throughout the U.S. The FDA's response to the lawsuit has made it clear that this case is about more than just raw milk; it's about keeping government from interfering with our food choices.

2. FIGHTING NAIS TO PRESERVE OUR FAMILY FARMS

In 2008, the Fund brought a federal lawsuit challenging USDA's implementation of the National Animal Identification System (NAIS), the plan to require the electronic tagging and detailed tracking of all livestock. Although the judge dismissed the case, the lawsuit served to educate the public and the media about the problems with NAIS, as well as warn USDA and the states that they faced an organization prepared to challenge them in court. Thanks to these efforts, along with the activism of many other groups, USDA announced that it was dropping NAIS in February; but the agency is still talking about an animal traceability system, so we are watching developments carefully.

3. DEFENDING OUR FARMERS IN COURT

Gone are the days when farmers stood alone in the courthouse to defend their principles. Now, the Fund's legal team and the entire organization are there to stand beside our farmers in court. The Fund is leveling the playing field, making it more difficult for government agencies to use administrative and judicial proceedings to grind down farmers and drain their resources. Board member Tim Wightman remembers a time when farmers fought these battles alone. Just nine years ago, after a severe government action in Wisconsin, he lost his farm, restaurant and financial wellbeing running back and forth to Madison to defend himself, leaving farm partners and family at home to cover for him. What a difference the Fund is making for farmers subjected to legal actions these days!

4. DEFENDING OUR FARMERS IN PARKING LOTS

The Bechard Family Farm was sued by the Missouri Attorney General for having the audacity to distribute raw milk in a parking lot. I think we all feel for the Bechard's teen daughters caught in this "sting operation." Undercover agents allegedly purchased raw milk from the daughters, leading to the charges filed against the Bechards. The State

is claiming that deliveries can only be made directly to the customers' homes, even though a central delivery point is more convenient for both the Bechards and their customers – another example of the type of government intrusion we are up against.

5. PROTECTING OUR BUYERS CLUBS, FOOD CO-OPS, AND COW-SHARES

Cow-share operators, buying clubs and food co-ops have found a friend in the Fund, to help them navigate the sometimes tricky legal waters involving direct distribution of raw milk and other nutrient-dense foods. Around the country, the Fund is working to protect the closer ties forged by farmers and consumers. The Fund consults with farmers on local, state and federal regulations along with labeling and contract issues, and advises members about their rights.

6. THE FUND IS IN IT FOR THE LONG HAUL

Fund General Counsel, Gary Cox, Esq., has been fighting the Meadowsweet Dairy, LLC case on behalf of Steve and Barb Smith in New York for nearly three years to uphold the right of the LLC members to obtain raw milk and raw milk products from the dairy without government interference. The Fund is appealing a court ruling that anyone who makes raw milk available to consumers must get a permit, with the court finding that "consumers" are those who "consume something" – conceivably meaning that dairy farmers would even need permits to consume raw milk from their own cows. Gary recently won a victory for the Smiths when he persuaded a judge to throw out a two-and-one-half-year-old search warrant that a state agency wanted to execute against the Smiths.

7. SOUNDING THE ALARM ABOUT DRACONIAN FOOD SAFETY LEGISLATION

The Fund's timely action alerts and thorough, thought-provoking analyses have provided activists and media outlets with highly credible, accurate and footnoted articles about the dangers for farmers hidden in Congressional legislation HR-2749 and S-510. If passed in the current form, this legislation would severely hobble or even halt small farm sales and artisan production.

8. HANDLING FARM LEGAL EMERGENCIES 24/7

The Fund receives a number of calls daily for advice ranging from labeling issues to emergency situations. The Fund takes emergency calls 24/7. These calls often begin, "An inspector is on my farm, what do I do?" The Fund attorney then walks them through a contentious inspection – over the phone – and talks directly to the inspectors if requested.

9. RESPECTING THE VALUES AND BELIEFS OF FARMERS OF ALL FAITHS

When the Fund heard that members of Anabaptist faith couldn't join the Fund, due to religious beliefs that prohibit them from joining organizations that engage in litigation, the Fund created a new tier of services, called "Non-Member Consulting Agreements," to provide those farmers with valuable legal counsel.

10. PUTTING YOUR MONEY TO WORK

Thanks to your support, the Fund is able to stand by the **Bechards and Smiths** as well as many other farmers including **Chuck and Diane Phippen**, of Breese Hollow Dairy in New York, **Wayne and Kay Craig** of Grassway Organics and **Mark and Petra Zinniker** in Wisconsin, **John and Jackie Stowers** of Manna Storehouse in Ohio, **Mark and Blaine McAfee** of Organic Pasture's Dairy and **Ron Garthwaite and Collette Cassidy** of Claravale Farm in California. The Zinniker family says that without the Fund's free legal representation for them, the financial burden would have been too much to bear, and the oldest biodynamic farm in the country would have folded.

I encourage you to join or renew your membership in the Farm-to-Consumer Legal Defense Fund – if all the members of the Weston A. Price Foundation also became members of the Fund, the Farm-to-Consumer Legal Defense Fund would be a force to be reckoned with! And, if you can, please make a donation. If you want your donation to be tax-deductible, you can make your check out to the Fund's sister organization, the Farm-to-Consumer Foundation, which provides charitable relief, education and support for public interest litigation.

I look forward to writing you again next year, with another progress report. Thank you in advance for your support.

Yours in good health and farm freedom!



Sally Fallon Morell, President
The Weston A. Price Foundation

P.S. Please join me at a special event for those who donate \$250 or more to the Farm-to-Consumer Legal Defense Fund. The Benefactor Appreciation Event will be held at Polyface Farm in Swoope Virginia on Saturday, September 11, 2010. It will feature a two-hour hay wagon tour of Polyface Farm by Joel Salatin and a festive farm lunch with the Polyface family and interns.




P.P.S. Joel's newest book, *The Sheer Ecstasy of Being a Lunatic Farmer*, will be released September 1. We are happy to offer a free book to anyone who joins or donates to the Fund at the \$100 level by September 1, 2010.

All **\$100 donations to the FTCLDF** will receive Joel Salatin's new book
The Sheer Ecstasy of Being a Lunatic Farmer

All **\$250 donations to the FTCLDF** receive an invitation to the
Benefactor Appreciation Event at Polyface Farm

Laser Address to show through see-through window envelope

My address has changed. Please make changes to the address on the left.

DONATE	JOIN OR RENEW	DONATE
 <p>Farm-to-Consumer Legal Defense Fund®</p> <p><input type="checkbox"/> YES! I wish to make a donation to the FTCLDF:</p> <p><input type="checkbox"/> \$2500 <input type="checkbox"/> \$1000 <input type="checkbox"/> \$500 <input type="checkbox"/> \$250 <input type="checkbox"/> \$100 <input type="checkbox"/> \$50 <input type="checkbox"/> \$25 <input type="checkbox"/> Other \$ _____</p> <p><input type="checkbox"/> I want to make a monthly donation of \$ _____ (<i>debit/credit cards only</i>)</p> <p><input type="checkbox"/> Send me _____ copies of <i>The Sheer Ecstasy of Being a Lunatic Farmer</i> by Joel Salatin. (1 per \$100 donation)</p> <p><input type="checkbox"/> RSVP for _____ people for the Benefactor Appreciation Event at Polyface Farms. (one RSVP per \$250 donation for Individuals; Sponsors, please call.)</p> <p><input type="checkbox"/> Send me _____ <i>free</i> FTCLDF brochures to give to friends, family and farmers.</p>	 <p>Farm-to-Consumer Legal Defense Fund®</p> <p><input type="checkbox"/> YES! I would like to join or renew my membership in the FTCLDF.</p> <p><i>New members, please complete the application on the back of this form</i></p> <p>New members or renewals:</p> <p><input type="checkbox"/> \$50 – Consumer Member <input type="checkbox"/> \$125 – Farmer Member</p> <p>Non-member Consulting Agreements:</p> <p><input type="checkbox"/> \$125 – Consumers or Farmers</p> <p>Affiliate Memberships:</p> <p><input type="checkbox"/> Contact me about an Affiliate Membership for our buyers club, food co-op, farmer's market or CSA. (\$5/member, minimum of \$250)</p>	 <p>Farm-to-Consumer Foundation®</p> <p><input type="checkbox"/> YES! I wish to make a tax deductible donation to the FTCF:</p> <p><input type="checkbox"/> \$2500 <input type="checkbox"/> \$1000 <input type="checkbox"/> \$500 <input type="checkbox"/> \$250 <input type="checkbox"/> \$100 <input type="checkbox"/> \$50 <input type="checkbox"/> \$25 <input type="checkbox"/> Other \$ _____</p> <p><input type="checkbox"/> I want to make a monthly donation of \$ _____ (<i>debit/credit cards only</i>)</p> <p><i>Donations to the FTCF support Education, Charitable Relief, and Support for Public Interest Litigation.</i></p> <p>Want to make a tax deductible donation? The Farm-to-Consumer Foundation is a 501 (c) (3) non-profit charitable organization. Your donation is tax deductible to the extent of the law.</p>
TOTAL FTCLDF \$ _____		TOTAL FTCF \$ _____

Check or money order (to FTCLDF and/or FTCF) MasterCard VISA Discover American Express

Card Number: _____ Expiration Date: _____

Name on card: _____ Security Code: _____

Signature: _____

Phone: () _____ Email: _____

Monthly donations help create stable and sustainable organizations. If you selected a monthly donation, it will be charged immediately to your debit/credit card and on or about the 20th of each month thereafter. You are free to stop your monthly donation at any time.

Thank you! Please return in the enclosed envelope or mail to:

FTCLDF & FTCF, 8116 Arlington Boulevard, Ste. 263 Falls Church, VA 22042

Call with a donation to **703-208-FARM (3276)**

Or, if you prefer to join or donate online with a debit/credit card – visit

www.farmtoconsumer.org or www.farmtoconsumerfoundation.org

FARM-TO-CONSUMER LEGAL DEFENSE FUND APPLICATION

To become an *Affiliate Member*, apply online or call 703-208-FARM(3276) for details.

Title: Mr. Mrs. Miss Mr. & Mrs. Other: _____

Last Name: _____ First Name: _____ MI: _____

Farm or Organization: _____

Address: _____

City: _____ State: _____ ZIP Code: _____

Home Phone: _____ Cell Phone: _____

Email: _____ Check One: I am a Farmer I am a Consumer

CERTIFICATION STATEMENT

By signing this application, I certify, under penalty of law that the information presented on this application, to the best of my knowledge, is true, accurate and complete and that I am not an employee of any governmental agency, or if I am, I will not use any of the information obtained or derived from the Fund for enforcement or administrative purposes against the Fund or any of its members.

Signature: _____ Date: _____

ECO-FRIENDLY OPTIONS

Please don't send the following:

- Welcome Letter (send an e-mail instead)
- Membership Handbook (available on-line)
- Magnet With Fund Phone Numbers
- Raw Milk Production Handbook (for farmers)

ANNUAL FEES

\$50 - Consumer Membership \$125 - Farmer Membership

\$125 - Non-Member Consulting Agreement

Check or money order payable to FTCLDF Credit card (all fields required)

I want to auto-renew. (credit card only)

Card No. _____

Name on card: _____ Exp. Date: ____/____ Security Code: _____

Signature _____ Today's Date: _____

MEMBERSHIP DISCLAIMER

FTCLDF reserves the right not to approve any membership application and the right to revoke membership for cause, including but not limited to the misrepresentation of any information. If your application cannot be approved, we will return your payment along with a letter of explanation. FTCLDF does not provide legal representation for members in matters involving personal liability where those matters are unrelated to FTCLDF's mission statement. Consistent with the Internal Revenue Service regulations, FTCLDF cannot guarantee representation in every case and reserves the right to refuse or limit the scope of its representation in all cases. Membership fees paid to FTCLDF are not tax deductible as a charitable contribution. Consult with your tax advisor or attorney to determine whether membership fees paid to FTCLDF may be deductible as a business expense.

FARMERS, PLEASE COMPLETE THE FOLLOWING:

Have you ever been charged with a violation of law or sued for any activity related to your farming operation?

Yes No If so, explain: _____

What do you produce on your farm? (check all that apply)

- Dairy Beef Poultry
- Pork Lamb Row Crops
- Fruits Herbs Vegetables
- Baked Goods Sweeteners Eggs
- Lacto-Fermented Foods /Beverages
- Other (specify): _____

Does your farm have a current license by the state?

Yes No

If yes, what is it for? _____

Indicate types and number of livestock on your farm.

Cattle: _____ Poultry: _____

Swine: _____ Sheep: _____

Goat: _____

Other (specify): _____

How many acres do you farm? _____

Do you engage in non-toxic methods of farming?

Yes No

FARMERS, PLEASE ALSO COMPLETE BACK OF FORM