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# Raid on Farm Sparks Debate Over Raw Milk Oversight and Government Overreach

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Two Pennsylvania State Police vehicles can be seen at the Upper Leacock Township farm of Amos Miller on Thursday, Jan. 4, 2024. Miller is an Amish farmer who has resisted following federal and state food safety regulations. State police said troopers were there to provide security for Pennsylvania Department of Agriculture employees who were serving a search warrant.

Dan Nephin | LNP



The case of Lancaster County farmer Amos Miller has prompted criticism of government oversight of raw milk, but experts say the product isn't exempt from food safety laws.

The Pennsylvania Department of Agriculture raided Miller's farm Jan. 4 after New York and Michigan traced illnesses in children to raw dairy products from the farm.

The raid was the latest of Miller's issues with state and federal officials.

Raw milk sales should be:

November 23, 2024

- ☐ A. More regulated
- ☐ B. Less regulated
- ☐ C. Regulated as is
- ☐ D. Not regulated at all
- ☐ E. Not permissible at all

Vote

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Miller has been involved in litigation over the years and has been cited for violations of federal health and safety regulations. In 2022, he reached an agreement, for the second time, with the federal government to avoid jail time for his refusal to comply with food safety laws, newspaper LNP reported.

Miller produces milk and raw milk products on his farm in Upper Leacock Township, selling some of it through a private buying club. He has also cited religion as a reason for not adhering to federal food safety guidelines in the past.

Supporters have argued Miller is fighting needless rules.

Regardless, there's no getting around food safety regulations, said Martin Bucknavage, a food safety expert at Penn State Extension.



“When you’re selling product to other people, it has to meet federal or state regulations for the safety of that product,” he said. “You can’t cite religion as a reason not to follow those regulations.”

Bucknavage said there are special regulations for processing with products labeled as halal or kosher. Both practices are based on religion, but they still have to meet the basic sanitary standards for the production of food.

“(Miller) is trying to bounce around with ‘I can do whatever I want,’” Bucknavage said. “But from a safety perspective, although sometimes we don’t like the oversight, with food it becomes necessary from a consumer safety standpoint.”

Foodborne pathogens like listeria and E. coli can cause serious health complications. In 2016, the Food and Drug Administration said listeria in samples of Miller’s raw milk was genetically similar to the bacteria in two people sickened by listeria — one of whom died — after consuming raw milk.

Federal law also makes clear that interstate sale of raw milk is prohibited, regardless if it’s done through a members-only buying club.

“The federal law does not provide any exemptions,” said Margaret Todd, a senior legal specialist at the University of Maryland’s Agriculture Law Education Initiative.

States have their own laws governing intrastate retail sales of raw milk, with some outlawing it altogether.

The practice is legal in Pennsylvania and regulated by the state Ag Department.

Even with regulations, outbreaks of foodborne illnesses associated with raw milk still occur.

In states that allow the sale of raw milk, 45 outbreaks, including nine in Pennsylvania, were associated with the product from 2013 to 2018, according to data from the Centers for Disease Control and Prevention.



Todd agreed with Bucknavage that religion is not grounds for exemption from food safety guidelines and permitting.

Plants that are approved for halal or kosher production must still allow inspectors to certify the process and inspect for food safety compliance, Todd said.

Despite the federal ban on interstate retail sale of raw milk, some legal gray areas exist.

It's one thing if someone travels out of state, buys a product and takes it home. But when the purchase is made directly by someone in another state, the rule isn't as clear.

"When you start to ship products out of state, it's a gray area. The whole online thing has really changed how we look at that," Bucknavage said.

While food safety regulations are designed to protect consumers, Bucknavage said they also benefit farms.

"Yes, the rules open the door for the FDA or (Pennsylvania Department of Agriculture) to come in and evaluate your operation, but how else are you going to prove the safety of your product if you don't keep the records and follow the guidelines?" he said.

Bucknavage said federal and state officials put in extra effort with Amish and Mennonite farmers, who may be hesitant to work with the government, to help them comply with food safety rules.

It's not an impossible task, and there are plenty of operations throughout Pennsylvania that are compliant, he said.

In Miller's case, allowing one person to stray from the rules could set a precedent for others — potentially causing serious consequences for consumers, he said.

Last year, the New York Department of Agriculture and Markets and the FDA issued warnings and recalls for several raw milk cheeses produced on farms in the state that were found to be contaminated with listeria.



Bucknavage said the listeria cases in New York reinforce the importance of regulations for food and sanitation. It is also a reason why farms should follow the rules.

“Listeria infections can be deadly,” he said. “Who wants to be responsible for someone’s death?”



**Enough on Raw Milk [Opinion]**

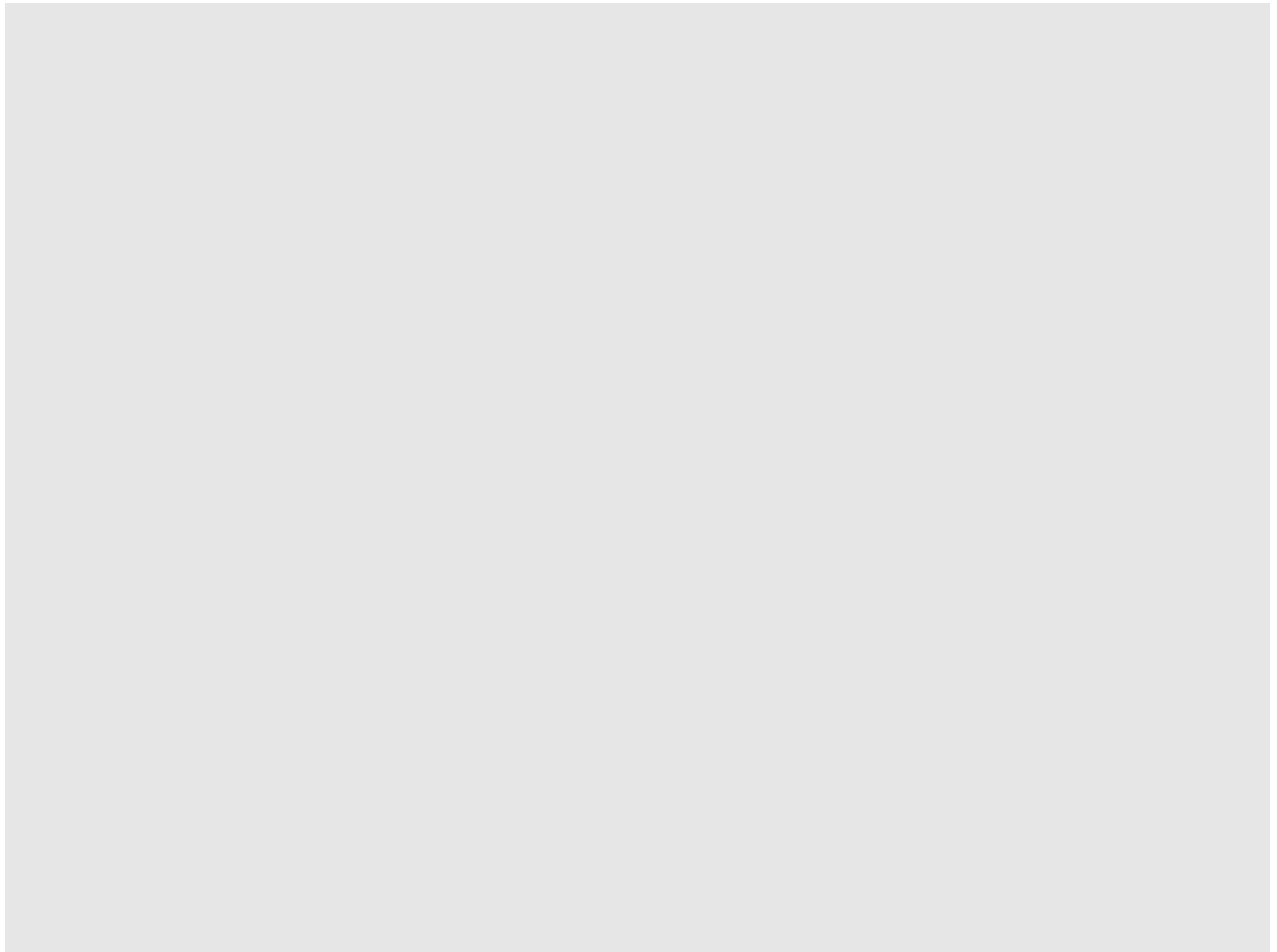




**Lancaster Farming's Ongoing Amos Miller Coverage**



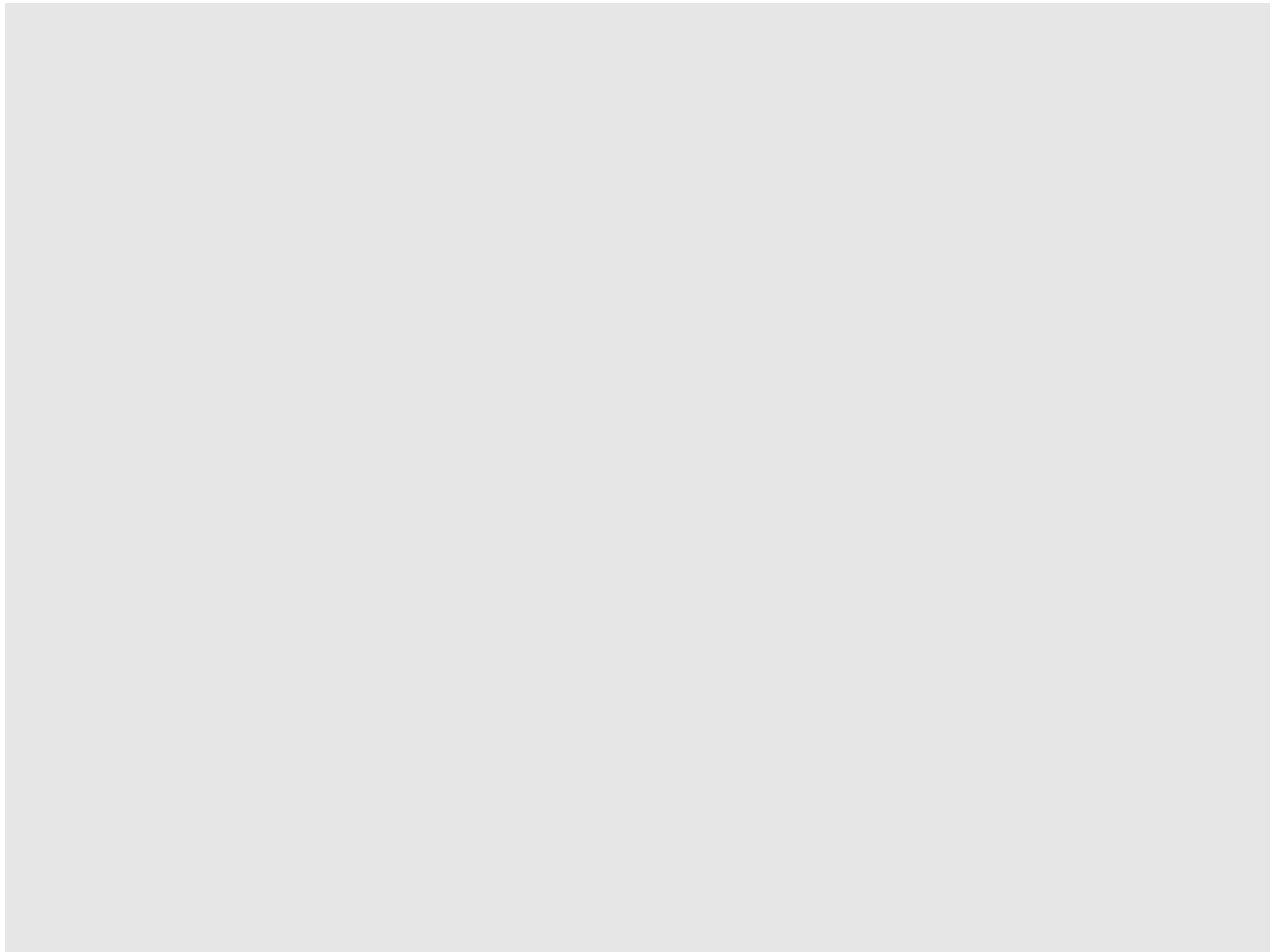
**Redding: Selling Raw Milk OK in Pennsylvania, If You Follow the Rules**



**Embattled Amish farmer's saga with USDA becomes grist for conservative media**

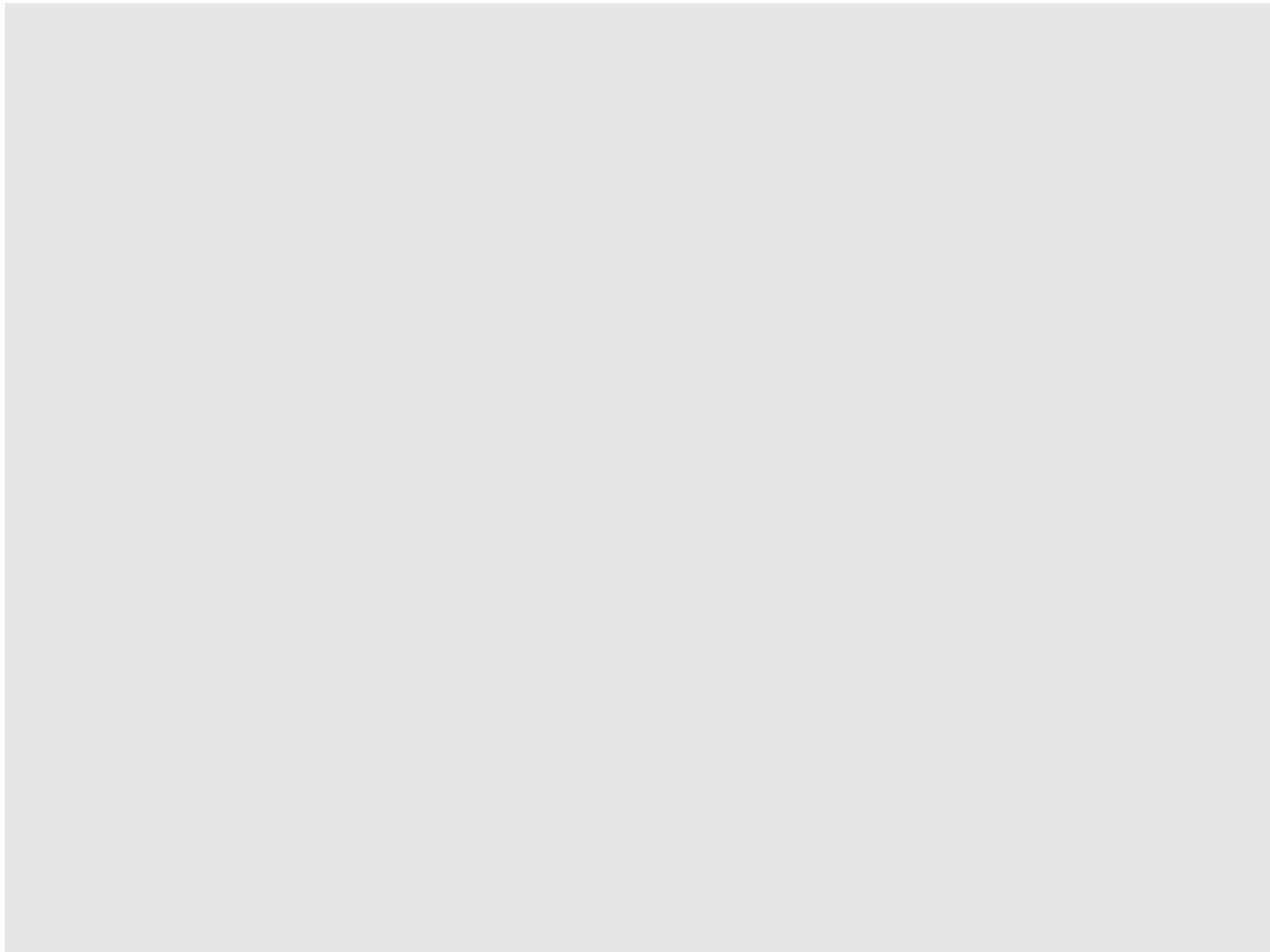




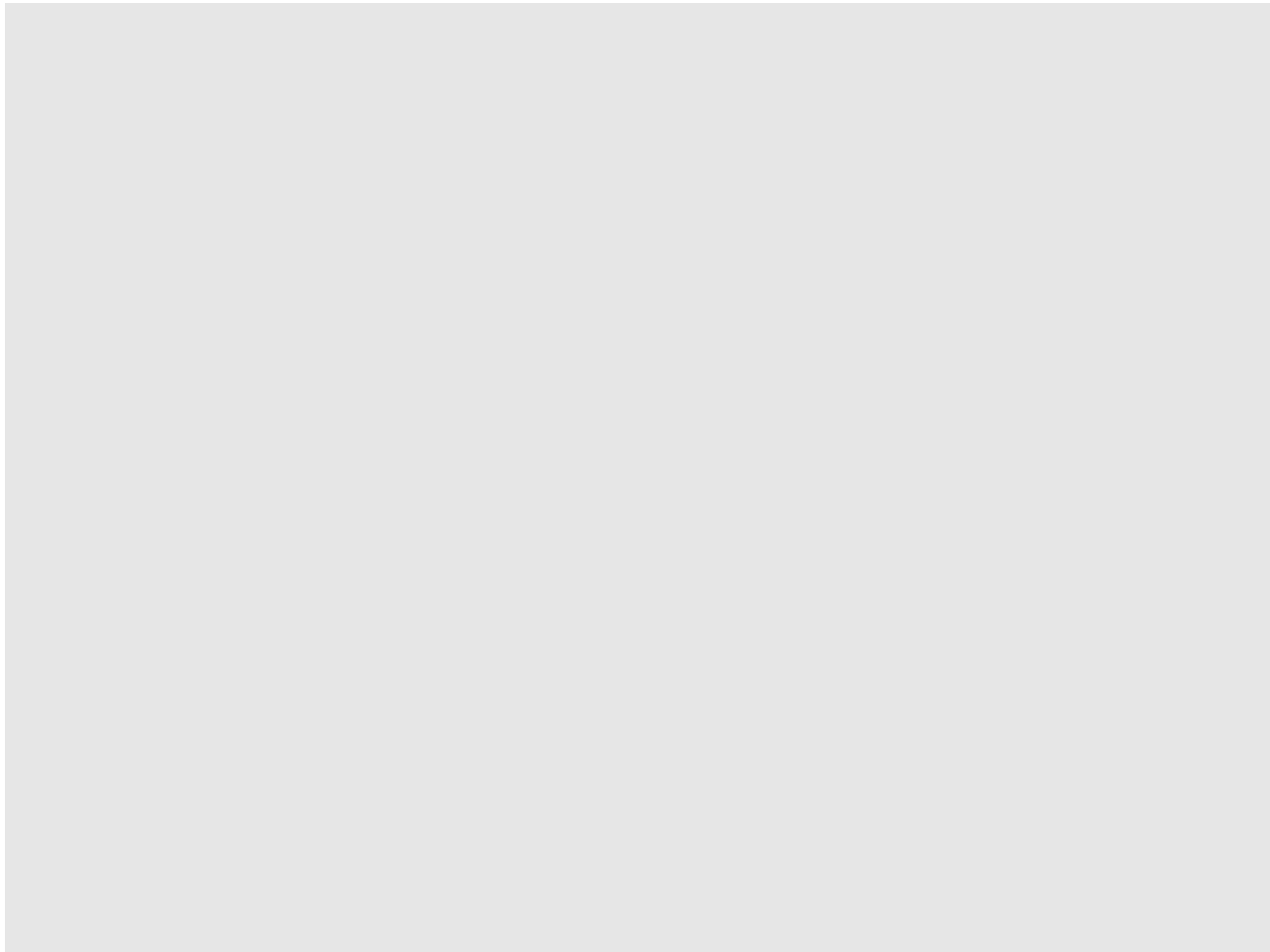


**Lancaster County farmer Amos Miller, feds reach agreement concerning food safety, fines**





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