

2777

Shomper, Kris

RECEIVED

From: The Miller's [milleracres@msn.com]
Sent: Monday, October 04, 2010 11:14 PM
To: IRRC
Subject: Pproposed Regulation #2777 Department of Agriculture 2-160

OCT 5 2010

INDEPENDENT REGULATORY
REVIEW COMMISSION

Hello,

My wife and I are raw milk consumers and I respectfully request that you reject proposed regulation #2777 Department of Agriculture 2-160: Milk Sanitation. I am lactose intolerant and raw milk is the only form of milk I can drink without consequences. We have been buying raw milk directly from the producer for more than 4 years and have never had a problem with bad milk or contamination. By using the raw milk to make kefir, my two daughters and I have not had the digestive problems we once had.

By adopting these new regulations you threaten to put an undue burden on the small local raw milk producers. These regulations would be too costly for the producer and they would have to stop selling their product to people like me. Please do not take this healthy choice away from those of us who suffer with digestive problems.

We care about having raw milk available in Nebraska. PA is a model raw milk state for the rest of the nation and what happens in PA could eventually impact my state. I am an intelligent, discriminating consumer and do not need protection from my farmer-neighbor or local market or store. If they provide an unsatisfactory product or fail to appropriately correct a problem they will be out of business quickly. At that level, State regulation does not and cannot provide a higher level policing; every consumer polices that supplier with every transaction and has direct enforcement options. Where we need government involvement is where the suppliers or markets are no longer our neighbors but rather corporations created by the State. Food safety is not size neutral. Larger operations are more complex, problems have much more far-reaching impacts and we have no direct meaningful recourse if there is a problem. The regulation needs to focus on those operations.

Although some regulations on this latter group are necessary, the regulation could be much simpler if they were performance standards, requiring that the end product achieves a desired result. How that result is achieved is the producers' responsibility, not the State's. That would result in the State's role being to test for compliance, a function that could easily be contracted out, rather than inserting itself in micromanaging the operation.

Again, I view the proposed regulation as excessive, and in some cases onerous and unnecessary. These flaws warrant that the proposed regulation be rejected.

Signed
Dave and Kathy Miller
