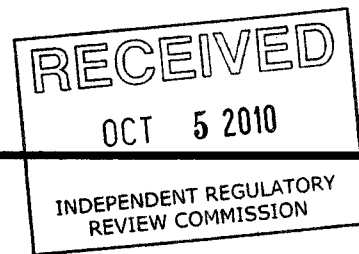


Shomper, Kris

2777



From: Kaufman, Kim
Sent: Monday, October 04, 2010 11:00 PM
To: IRRC
Subject: Fw: Regulation #2777 Department of Agriculture 2-160: Milk Sanitation.

From: Philip Gotthelf [mailto:phil@commodex.com]
Sent: Monday, October 04, 2010 10:54 PM
To: Kaufman, Kim; Miller, Sarah E.; Wilmarth, Fiona E.; Schalles, Scott R.; Smith, James M.; Totino, Michaele
Cc: 'Paula Goodis' <pgoodis@gmail.com>
Subject: Regulation #2777 Department of Agriculture 2-160: Milk Sanitation.

To Whom It May Concern:

The subject is raw milk regulation. By way of introduction, my name is Philip Gotthelf and I am a commodity futures analyst who regularly appears on CNBC, Bloomberg, FOX Business News, the networks and radio. I have worked with the Pennsylvania Farm Bureau on qualifying, quantifying, and aggregating carbon sequestration through conservation tillage and cover crop practices... an effort currently threatened by the misgivings, ignorance, and misunderstandings of the EPA.

Over the years, I have acquired a taste for raw milk which I enjoy in wonderful Commonwealth of Pennsylvania. I usually purchase my delicious treat from one of the many small local dairies that are struggling so hard to make ends meet. I am aware of the crisis among Pennsylvania dairy farmers as prices decline and expenses escalate. Recently, I was informed about the proposed regulation #2777 Department of Agriculture 2-160: Milk Sanitation.

While I certainly appreciate regulation that protects me from potential dangers, my read of the regulation raises concerns that the costs of compliance may be over burdensome for the local farmer or local market/store. In particular, the cost of testing and inspection at the tight intervals required could make raw milk sales prohibitively expensive for consumers. In effect, regulation #2777 may serve to regulate my local Pennsylvania suppliers out of providing me and my fellow raw milk consumers with the product we have grown to love and depend upon.

In addition, the labeling requirements for each container as well as the rules governing containers and filling rooms appear to be overkill for a highly specialized and relatively small group of producers and consumers. The regulation is more suited for mass produced product that is offered through large volume retail chains like A&P, etc.

The fact is that 99% of raw milk consumers *know their sources*. We have relationships with our suppliers and our suppliers earn our trust and patronage by supplying high quality healthful products.

At a time when so many local dairies and farmers are struggling, adding layer after layer of regulation is tantamount to putting suppliers out of business. Is this the intent?

While I am hopeful raw milk will become widespread and available throughout Pennsylvania, such is not the case. I strongly urge reconsideration of the regulations with some empathy toward those who are really producing raw dairy products... local small (usually family run) operations. A two-tiered regulatory standard

for large commercial operations and small farms is necessary to allow the local producers to survive while protecting the general consumer from potential lapses in quality and safety.

Effectively, regulation #2777 should be rejected in its current form and rewritten with a more accommodative standard for small producers. The tendency to protect consumers from consuming has become pandemic in the United States. It is paradoxical that we can drink alcohol, smoke/sniff/chew tobacco, and eat unlimited quantities of trans fats, but it is increasingly difficult to get raw milk because regulation makes it nearly impossible to profitably produce. The dairy industry is not required to justify homogenization that has been linked to arterial disease and accelerated progress in multiple sclerosis patients, nor is there any question about pasteurization's impact upon milk protein and digestibility... heaven forbid. Tylenol® overdoses kill more people annually than Vioxx and Celebrex combined (on a per capita extrapolated basis), yet Tylenol is permitted over the counter and Vioxx has been discontinued as a prescription drug.

I respectfully request that regulation #2777 should be rejected in compassion for those that produce, and those that consumer raw milk from the great Commonwealth of Pennsylvania.

Sincerely yours,

Philip Gotthelf
(800) 336-1818 (office)