

2777

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INDEPENDENT REGULATORY
REVIEW COMMISSION

Shomper, Kris

From: Robert Toborek [rtoborek@gmail.com]
Sent: Monday, October 04, 2010 10:35 PM
To: IRRC
Subject: Reject Proposed Regulation #2777 Department of Agriculture 2-160: Milk Sanitation.

My name is Robert Toborek, I am a raw milk consumer and I respectfully request that you reject proposed regulation #2777 Department of Agriculture 2-160: Milk Sanitation. 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.

Source of this letter is a template, however I fully support described action and endorse its content.

Regards,

Robert Toborek