

# Trafficking in Raw Milk

*By Ann Monroe*

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It's early Saturday morning, and the Brooklyn street is almost empty. Except at one half-open store, where about 30 people are lined up in the narrow aisle clutching empty backpacks, shopping bags and suitcases. At the door, a man checks each entrant, asking "Are you here for the...pickup?"

Someone shouts "The van's coming!" and the place burst into action. People run into the street and come back hauling heavy cartons and cooler chests. Then the store empties as quickly as it filled, as everyone lugs their contraband purchase home.

And "lug" is the word. What's being distributed at this store -- and in countless offices, backyards, homes, churches and parking lots across the country -- is milk. Raw milk.

Apart from illegal drugs, raw milk -- milk that's unpasteurized and unhomogenized, just as it comes out of the cow -- may be the most briskly traded underground commodity in the United States. By a conservative estimate, some 500,000 people in the U.S. drink the stuff, says Sally Fallon, president of the Weston Price Foundation, which is dedicated to spreading the word about raw milk -- and making it legal. Her guess is that the true total is closer to a million. Even the Food and Drug Administration, which is doing its best to keep raw milk out of the mouths of citizens, has acknowledged that about 3 percent of U.S. milk drinkers drink it raw.

It's not that those Brooklyn milk-buyers were doing anything illegal -- drinking raw milk is legal in every state. So is buying it. What's not legal, except in eight states (Arizona, California, Connecticut, Maine, Pennsylvania, South Carolina, New Mexico and Washington), is selling it to the general public. The other 42 states have a variety of bans. In some, it can be sold only on the farm. In others, it can be sold only as pet food. Some outlaw its sale altogether. Federal law prohibits transporting it for sale -- even from a state where it's legally sold -- across state lines.

## **Skirting the law**

That hasn't stopped ingenious raw milk drinkers from finding ways around the rules. Some buy the milk in states where it is legal and carry it across state lines themselves. (Milky Way Farm, in Starr, S.C., does a brisk business selling raw milk in parking lots right on the state line to buyers from neighboring states where it's illegal). Others form milk-buying clubs, which purchase the milk from a farm that's allowed to sell it and bring it back to a central distribution point. In states where selling raw milk isn't allowed at all,

clever lawyers have taken advantage of old-time laws that let a farmer board and feed a neighbor's cow to set up cow-share programs. Members legally own the cattle the dairy farmer is raising and milking, and -- as owners -- get the milk.

These arrangements may fall within the letter of the law, but they clearly skirt its intent, so raw milk drinkers keep very, very quiet about their sources. A raw milk club in New York demands a reference from a current member before it will let you join. Joining one New Jersey club takes weeks because the club checks out each potential member (to make sure they're not a government agent in disguise) before letting them in.

The complicated legal arrangements make buying raw milk something of an ordeal. No running down to the corner for a quick quart: in most cases, buyers must order their raw milk online, usually by the gallon, several days before the pickup. (If you miss the deadline, you have to wait for the next one.) Deliveries are rarely made more than once a week and many are two or more weeks apart. Some buyers have to drive several hours to get to the pickup site, which is often in a hard-to find spot. "I've gotten lost so many times," says Valerie Scott Massimo, a New Jersey raw milk drinker. "The house is unfindable, and they have a wooden fence six feet tall."

There's good reason for these clubs to be cautious. While state authorities rarely go after raw milk buyers, distributors have gotten in trouble -- late last year an Ohio raw milk co-op was raided at gunpoint by sheriffs' deputies. And state officials regularly try to shut down dairies that sell raw milk. The Farm-to-Consumer Legal Defense Fund, which defends farmers' right to sell raw milk, has a dozen cases on its docket right now. "People have the legal right to drink it," says Pete Kennedy, interim president. "The problem is finding ways to enable them to exercise their right."

If many state officials get their way, exercising that right will get harder, not easier. State officials try continually to tighten the laws governing the sale of raw milk. About a year and a half ago, agriculture authorities in Georgia, where it can only be sold as pet food, proposed requiring all raw milk to be dyed charcoal gray, to make it less attractive to drinkers. (Activists beat that one back). In California, state authorities have tightened the requirements for raw milk testing, says Mark McAfee, owner of Organic Pastures, the state's biggest raw milk producer, demanding that the milk be free not just of harmful bacteria, but of almost any bacteria at all.

### **A government conspiracy?**

Many raw milk enthusiasts see a deep conspiracy behind governmental attempts to prevent the sale of raw milk. McAfee, who's managed to get into trouble with the law even in a state where raw milk is legal (by insisting on shipping it across state lines), blames it on the drug companies. They don't want people discovering that food can cure what they're selling pills for, he says. "They don't want any encroachment."

But a quick look at the past makes it clear why so many governmental officials hold to the need for pasteurization. B.P. (before pasteurization), many dairies, especially in cities,

fed their cattle on -- to put it bluntly -- garbage, and their milk was rife with dangerous bacteria. Pasteurizing it was the only way to make it safely drinkable. After many years of pasteurization, just about everyone simply assumes that raw milk is dangerous stuff. Amy Osborne, a dancer, got a panicked letter from a relative -- a dietician -- when she heard Osborne was feeding her baby raw milk. "It made my husband really nervous," she says. Another mother, reluctant even to have her name used, though raw milk is legal in her state, worries about whether to let her children's friends drink it. "God forbid they get sick and blame it on raw milk," she says.

When a raw milk drinker gets sick, that's generally what happens -- whatever the evidence. Years ago, Massimo got sick a few months after starting to drink raw milk from a nearby dairy. Her doctor immediately blamed the milk -- even though tests showed no harmful bacteria and nobody else who had drunk the milk had gotten sick. "He was totally convinced," she says, "and he was a doctor and I wasn't." So she stopped drinking it.

She started again 20 years later when -- after moving to New Jersey -- she developed diverticulitis and became very weak on the liquid diet that was all she could digest. Her chiropractor, Steven Lavitan, put her on raw milk, and she says she immediately began to feel better. Lavitan, who recommends raw dairy products to many of his clients, says he has even seen cataracts improved by drinking raw milk. He and others claim that raw milk can cure a host of ailments, including asthma, allergies, lactose intolerance and other digestive problems, many of which, they argue, are caused in the first place by drinking pasteurized milk. "Anything that regular milk can cause, raw milk can cure," Lavitan says.

### **It does a body good**

Raw milk lovers advance two basic health arguments. The first (flatly denied by regulators and most nutritional scientists) is that pasteurization destroys or damages many of milk's most valuable nutrients. The second is that while it may kill dangerous bacteria, pasteurization also kills off all the good bacteria in raw milk -- some of the same ones that big dairy companies are now selling as "probiotics" in pricey new yogurt and drink concoctions.

In fact, supporters argue, raw milk is just as safe as the dairy it comes from. If the cows are healthy and the dairy is spotless, they say, raw milk is safer by far than pasteurized milk, because the beneficial bacteria naturally found in raw milk make it harder for harmful bacteria to grow.

It's not just health claims that make raw milk drinkers willing to go to so much trouble to get it. Milk in its natural state simply tastes better, they say -- sweeter, richer and more wholesome. Ellen Whalen, a freelance writer and home-schooling mother on Cape Cod, says raw milk even goes sour more pleasantly than pasteurized milk. "Pasteurized milk rots," she says. "Raw milk doesn't go bad, it just changes."

## **Help on the way**

Some help for raw milk drinkers may be at hand. In late January, Congressman Ron Paul of Texas, who ran for president in 2008, introduced a bill that would legalize the shipment and distribution of raw milk and milk products for human consumption across state lines. It's an issue of constitutional rights, Paul said in a statement introducing the bill. "Americans have the right to consume these products without having the federal government second-guess their judgment about what products best promote health. "

One raw milk defender goes even further. Max Kane, the owner of a Chicago raw milk co-op who recently finished a cross-country bicycle trip, during which he ate and drank only raw dairy products to publicize the case for raw milk, would like to see massive civil disobedience. "As long as people keep trying these little ways to circumvent the law, this bull---- is going to continue," he says. "I think everyone should come forward and say we're proud to drink raw milk. Otherwise it's always going to be us running, and them chasing us."

## **If you want to try raw milk...**

Raw milk's hard to find, Kane found out on his trip, even when, as he did, you've got a crew of about a dozen friends e-mailing and cold-calling farmers to hunt the stuff down. The difficulty of getting supplies extended the trip by over a week and forced Kane to cross Mississippi and Louisiana by bus, since the few dairies he could find were too far apart to sustain him. He made it across Texas thanks to a farmer who met him regularly on the road with fresh supplies.

To find a source near you, start by asking around, especially at health-food stores and farmers' markets. Unless you're in one of the eight states where selling it in stores is legal, you won't be able to buy it at either place. But you may get some leads from other shoppers.

Keep your eyes out for fundraisers for the Farm to Consumer Legal Defense Fund, or programs sponsored by the Weston Price Foundation. While neither organization actually distributes raw milk, both fight for it, and their supporters are likely to drink it.

Another way to contact raw milk drinkers is to do a Web search for "raw milk" and your state; there may well be a local organization that fights for it. Start with a search on [LocalHarvest.org](http://LocalHarvest.org). Or you can do what Kane did: hunt for local farmers. Check out the Campaign for Real Milk, which lists producers of raw milk and cheese around the country and also provides a useful summary of raw milk's legal status in each state. (Warning: if you're not in a state that allows farmers to sell raw milk to the public, the list will be skimpy. Advertising on a raw milk site is "one of easier ways to get in hot water," notes Kennedy, who says they're regularly monitored by federal and local officials.)