



## You Can Help Protect Herdshares in B.C.

**By Christy Erasmus, VP Communications**

Are herdshares legal in British Columbia? Health authorities issue cease-and-desist orders to herdshares they discover. Agisters are prosecuted for "packaging and distributing" raw milk. Anyone can complain to a public health office that a farm is distributing raw milk – there have been cases of former herdshare members with grudges reporting their former herdshares, and farmers reporting other farmers in order to "reduce the competition."

Herdsharing, even though based on the fact that individuals may collectively own livestock and contract services, does not seem to protect farmers from prosecution. Why? Health officers don't look at herdshare agreements to find out whether or not consumers own the livestock before issuing cease-and-desist orders. The fact remains that our agisters need protection and they need it yesterday.

Unlike any other province in Canada, raw milk is classified as a "health hazard" under B.C.'s *Public Health Act, Health Hazards Regulation*. One single clause prevents agisters from operating legal herdshares without harassment.



The solution is to change B.C. law. The path is "through the boardroom, not the courtroom," which can be confusing for many Canadians who watch courts regularly change laws in the U.S. But this is not how Canadian law works, proven as we've watched the fearless battles of Canadian agisters who have learned this the hard way.

In Canada, the system expects us to first lobby, dialogue, and negotiate with government to try to get laws changed, and to

vote at the ballot box to elect a party, which supports the changes they want. Court is a last resort, and seldom successful except in rare Charter challenges (the Ontario Court of Appeal ruled in 2014 that raw milk prohibition laws do not violate the Charter and that Canadians do not have the right to access and choose the foods they eat).

This is a bleak realization when we know that the law banning us from our precious food was passed in 1988 [with no evidence to support it](#). **But we can do something. Working together, we can bring agisters the protection they need.**

As you read in our last issue, in 2014 and 2015 we met with the Ministries of Health and Agriculture and the B.C. Dairy Association, which represents the commercial dairy farmers, to discuss the topic of legalizing herdsharing in B.C.

Everyone realizes that this 28-year-old law -- passed before there was widespread awareness of "raw milk best practices" -- is not only obsolete but has created a wide-spread "black-market." This situation is in no-one's best interest. Prohibition is not going to stop people from consuming a safe, nutritious, and health-building food which is legally available in over 100 grocery stores across the border in Washington State. There are other facts, which are evident to everyone:

- Individuals may collectively own livestock.
- Individuals may employ others to care for their livestock.
- Products from livestock – meat, milk, offspring, manure, hides, and wool – are the property of the owners.
- Over-regulation – imposing costs and standards which are impossible to meet – is a form of prohibition.
- Fresh milk produced by procedures intended for direct consumption is not the same as unpasteurized milk produced by methods necessitating pasteurization.

Government stated its conditions for legalizing herdsharing:

- New laws can't contradict federal law or court rulings.
- Herdshares cannot sell raw milk.
- The new law must include testing standards.
- There must be a training and certification program on-par in quality with the Canadian Quality Milk training program which all commercial dairy farmers must take.
- Based on "Evidence-Based Decision-Making", they require peer-reviewed academic evidence that legalization will not increase outbreak rates.

## Proof Through Scientific Evidence

BCHA is collaborating with a B.C. university that will study whether unpasteurized milk can be provided safely. The study will prove the efficacy of a standardized training program used in popular herdshares to meet the government's requirement for "evidence."

This study is pivotal. The first step in a long line of steps to changing current legislation with regard to the way milk is controlled. It's exciting, it's important and it's here. We are ready to take volunteers and accept donations toward this venture. <http://bcherdshare.org/>

## Uniting the B.C. Raw Milk Community

We receive emails every day from the raw milk community in B.C., there are a lot of us! Did you know there are likely over 100 herdshares in B.C.? If we all work together, we can make an impact.

**But the community at large is at a loss over just which actions they should take. What is helpful? What isn't?**

**Rallies?** Unless thousands of people attend, there is no impact, as politicians count participants as potential election votes. Fewer than about five thousand gives the bad impression of being a "fringe group," which we are not!

**Petitions?** Once again, unless there are big numbers - for petitions, about 50,000+ signatures -- you present yourself as a fringe group.

**Lawsuits?** When Canadian government hears "lawyer," the door *slams* shut. Current law does not support herdsharing and the Charter of Rights will not protect our interests. Only your lawyer will benefit from this adventure.

## What Has Moved Us Forward?

There is still a lot of work to be done, but what is slowly working for the raw milk movement is what works in other

movements for change: Organizing a province-wide non-profit advocacy group. Individuals lobbying their MLAs and writing to government – every visit or letter is counted as several hundred votes. Meeting with the decision-makers: Cabinet Ministers and their staff.

In addition, more herdshares are moving to an operational model reflecting a 2011 court ruling that herdshares in Canada cannot operate as "buying clubs" that sell raw milk to members, but that members must truly have ownership and management of dairy livestock.

## You Don't Have to Wait. Help Now!

**Here is a list of helpful actions YOU can take NOW to help change B.C. milk law:**

- Get [Grass-to-Glass trained](#) and start testing monthly.
- Join the "BC Fresh Milk pilot project. Contact us for details.
- Send us your positive raw milk stories! [The government needs to hear them.](#)
- Write up a RAMP and SSOP to prove you have safety procedures in place.
- Become a trainer yourself.
- Meet with your MLA to secure his/her support. Get your herdshare members to ask for meetings too.
- Write to the Minister of Health, the [Hon. Dr. Terry Lake](#) and to the Minister of Agriculture, the [Hon. Norm Letnick](#), to ask politely that the laws be changed.
- Engage the decisions-makers on Twitter and Facebook. Tweet photos of your farm to them.
- Tweet good articles to them to educate them.
- Get your members organized, active, empowered and lobbying as a livestock co-owner group.
- Learn about "legal herdsharing" and review your paperwork to ensure that you are not unintentionally violating laws that banning sales.
- Join BCHA. Promote BCHA. Volunteer with BCHA.

# VOLUNTEER WITH BCHA

Do you want to be part of one of the fastest growing BC volunteer organizations? We need volunteers to help with our research project as well as many other BCHA feats! We are looking for:

**President \* Volunteer Coordinator \* Spokespeople \* RAWMI Trainers  
Community Contacts \* Receptionist \* Communications Volunteers \* Fundraisers**

## British Columbia Herdshare Association – Contact Information:

Website : [www.bcherdshare.org](http://www.bcherdshare.org)  
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