



## Regulate raw milk MP says

By Don Crosby The Sun Times | Feb 4 2016

Bruce-Grey-Owen Sound MP Larry Miller says it's time to regulate the sale of raw milk. "It isn't about whether you like Michael Schmidt or don't like Michael Schmidt or whether you want to consume raw milk or you don't want to consume raw milk. The ultimate thing that needs to happen here is for the province to get off its fanny and regulate raw milk," Miller said after a visit to the Schmidt farm on Wednesday.

"I was raised on it, my kids were raised on it and there isn't one dairy farmer in my riding that I know of that doesn't drink milk from their own cows. So what's the difference . . . If people want that choice then let them have that choice, but put regulations in place that make it safe to drink," he added. Miller and Bruce-Grey-Owen Sound MPP Bill Walker toured Schmidt's Durham area farm at Schmidt's invitation. Miller says he found the operation as clean and safe as he's seen anywhere. Walker said he appreciated the information that Schmidt provided about the growing acceptance of raw milk in many of the American states and across Europe, including England.

"Safety has to be paramount but if there is a way to do this safely then I think it should be studied. Maybe the federal government agricultural committee does a study and gets some conclusion . . . let science rule rather than politics or hyperbole and go from there," he said. Miller said cleanliness is paramount.

"I used to milk cows myself and we kept our facilities very clean; you have to do that when you're selling to the public and Michael's is as clean or cleaner than most I've seen . . . nobody can say that his facilities are not OK," said Miller. Miller said there have been advances in technology since the 1930s when the sale and distribution of raw milk was banned in Ontario.

"We haven't heard of anyone of Michael's cow share owners being sick, so obviously if you do it right, and I believe Michael is doing it right, as far as safety goes," said Miller, who noted that some people prefer to consume only organic vegetables, or organically grown meat or cereals.

"It's the same with raw milk. Not everyone is into it. But there is quite a significant quantity of people that do . . . it's another choice we

have as consumers. If it's handled right then it's safe to drink in my opinion." Miller was critical of the Ministry of Natural Resources and Forestry's role in conducting raids on the raw milk production and processing operation near Durham over the years.

"Most people think of them as looking after our fishing and wildlife. They're not doing their job there, they are not satisfying their mandate in my opinion. They don't have enough people out there to check on poaching; they don't enforce commercial fishing rules. So if you can't even do the job you're mandated to do what the heck are you doing wasting your time with people like Michael Schmidt?" Miller said.

Miller said he visited the raw milk production and processing facility at the request of Schmidt, who is one of his constituents. "This issue comes up from time to time and when [people] call me about it I want to be able to say that I've seen his facilities . . . I'll meet with anybody in my riding. That's my responsibility. Just because raw milk is a touchy issue, should I say to Michael that I shouldn't come and visit? I can make up my own mind," he said. Walker praised the efforts of his predecessor Bill Murdoch who lobbied hard to get the government to study the issue. "You put the people who are the most impacted at the table and have that discussion . . . Michael does have some good points and what I've heard today is they are being forced to break the law, then let's look at the law," said Walker, who is perplexed that Schmidt and raw milk users haven't been able to get a discussion with government.

He recommended that Schmidt make a request to the minister of agriculture for a meeting and then he can pursue it in the legislature and behind the scenes. He would like to see a meeting of all of the stakeholders and the government at the table. "There is an industry here, the dairy farmers of Ontario are a huge industry, a lot of economic impact to our communities . . . they have to be at the table and share their side of the story. . . I try to be balanced. Get the people to the table, get the facts on the table and make a decision," said Walker. Schmidt said he was pleased with the outcome of the meeting with Miller and Walker.

"They hear a lot through the newspaper and the media, but they never saw my operation first hand. For me it was important that they saw that we have high very high standards and that we are trying to work with the government to move toward the resolution of this issue," said Schmidt. "They are my representatives in parliament and I think they should know what's going on. You get too pushed into a corner as a criminal. It's important that they see we are transparent and open."



**ONTARIO  
SUPERIOR COURT OF JUSTICE**

**BETWEEN:**



**THE REGIONAL MUNICIPALITY OF YORK**

**Applicant**

**- and -**

**MICHAEL SCHMIDT, ELISA VANDER HOUT, MARKUS CHRISTIAN SCHMIDT,  
AGRI-CULTURAL RENEWAL CO-OPERATIVE INC.,  
NIKOLAUS ALEXANDER JOHANNES OSTHAUS,  
JOHN DOE, JANE DOE and PERSONS UNKNOWN and  
THE CHURCH OF THE CHRISTIAN COMMUNITY IN CANADA**

**Respondents**

## Will the Injunction Shut Down Glencolton Farms and Raw Milk?

By Lyndon Kirkley | Mar 2016

We need to look to the government, not the courts, to protect Glencolton Farms.

Glencolton Farms, which has been of great value so many of us, could be fully shut down by an injunction which the Attorney General of Ontario is seeking from court. The community which supports Glencolton Farms must unite to oppose this injunction, otherwise we risk losing the access to raw milk which we have been defending since 2006.

The injunction against the farm is specific. It seeks to shut down the production and distribution facilities on the farm. It would prevent Glencolton Farms from bringing us the milk and dairy products we value.

The injunction would not prevent us from drinking raw milk, it would prevent us from having convenient access to raw milk. Even though the injunction would stop Glencolton Farms from providing us with raw milk, we would still be able to obtain it legally. The Ontario Health Protection and Promotion Act does not prevent anyone from drinking raw milk from their own cow. If we went out and bought a farm and a cow we could have legal access to raw milk. There is no law in Ontario that fundamentally restricts us from obtaining raw milk.

What makes the injunction so dangerous to our cause is that it could legally shut down Glencolton Farms. The courts have ruled that our current distribution system is illegal under Ontario law. Regardless of whether we call ourselves a members of a cow

share, or a farm-share, the fact remains that we get our milk from a farm that produces, bottles, and delivers our milk. This is a system of production and distribution, and is subject to Ontario law. We modified the system, by calling it a cow share, and then a farm share, to try and circumvent the law. We have crusaded under the banner of "fundamental food rights" with the illusion that somehow these laws are unjust, and do not apply to us. But this entire time, we have been getting our milk from the same basic system of production and distribution.

The Ontario Milk Act says that it is illegal to produce and distribute raw milk. In the case of Glencolton Farms, the Ontario courts have upheld that law. And how can we expect them to do otherwise? The courts cannot bend the law in our favour. The courts are designed to uphold and interpret the law, not to change it.

Our provincial government can change the law. We need the Ontario government to change the Milk Act so that we can legally produce and distribute raw milk. We need to prove to the government raw milk is safe, if it is produced responsibly, as Glencolton Farms has been doing for years.

This is why I think it is urgent for our community, and especially those who are leading our community, to lobby the men and women who represent us in the Ontario Government.

The reasons for our desire to change the law may be complex: food rights, the value of independent agriculture, the health value of raw milk. But we must not forget that our demand is simple. All we want legal and practical access to healthy, farm-fresh raw milk.



## Massive Raw Milk Rally in Newmarket

By The Bovine | Mar 16 2016

Today's court proceedings in Newmarket were merely the opening round in what promises to be a protracted legal process, the end result of which could be the effective criminalization of anyone in Ontario distributing, sharing or giving away raw milk to another person. Advocating raw milk would likewise become a criminal act under the injunctions being proposed by York Region Public Health, and by the Crown.

The record turnout of raw milk consumers and supporters at today's rally — an estimated 250-300 men, women and children — underlines just how unpopular such a move would be with the constituency that would be most affected by the proposed injunctions. The courthouse security police, who know Michael Schmidt from the many times he's come to this courthouse before, told him that "every time you come here, there are more people".

Durham-area farmer Michael Schmidt has been a lightning rod for raw milk issues in this province since 1994, largely because he has been very open in the way he operated.

On many occasions over the years Michael has sought various avenues to legalize the much-in-demand product, whose production and sale in the province remains largely underground. But the response to Michael's overtures has not yet led to any improvement in raw milk's legal status. In his talk, Michael praised other raw milk farmers for also "coming out of the closet". For instance, Michael was not the farmer who brought a cow to today's event and milked it in front of the crowd. But even this could be just a tip of the black market iceberg.



Nothing like a cow being milked to capture the raw milk spirit.

One of the attendees at today's event was a (still closeted) farmer who serves the downtown Toronto market and said he has over 200 members in his cowshare operation. That's much bigger than Glencolton. A young woman who was demonstrating at the rally said it's easier to buy crack cocaine than raw milk, in Toronto these days — which would indicate that in spite of the thriving black market, the demand for raw milk is still far from satisfied.

## American Celebrity Guests

David Gumpert, the well-known American blogger ([The Complete Patient](#)), and author of several books on raw milk, made the trek from New England to take part in today's rally. Gumpert had also been on hand for Michael's one legal victory — the historic and legendary January 2010 acquittal by Justice Kowalski.



American author David Gumpert in full tilt boogie mode.

In his talk at the rally today David noted that the way that acquittal was subsequently overturned in an appeal by the Crown, would never have been allowed under the American system of justice, where trying someone twice for the same offense is disallowed as "double jeopardy".

David also noted that at the time Michael Schmidt started his fight for legal raw milk in Ontario, there were 25 states in the United

States in which raw milk was allowed. But since then, 17 more have legalized it in some form, leaving only 7 states in which it remains prohibited. Likewise, among the G8 countries, Canada is the only one to prohibit raw milk.

Liz Reitzig, who hails from Maryland — one of those 7 remaining States that prohibit raw milk south of the border — also made the trip to Newmarket to take part in this rally. Liz has helped with publicity and promotion for Michael's raw milk campaign in Ontario and helped promote this event through various channels including her blog, "[Nourishing Liberty](#)".

## What's at Stake

While in the past the focus of raw milk prosecution has been on Michael Schmidt, the court process that started today would shift that focus of enforcement to any John Doe or Jane Doe — in effect, anyone — who distributes (which includes sharing or giving away) raw milk to another person or persons in the province, after the proposed injunctions come into effect, if in fact they are approved by the court.

Judging by the tentative schedule that was agreed in court today, it looks like that could happen as early as Sept. 27th, 2016. To the best of our understanding, criminalization means that any such person could be arrested, detained, jailed, fined and left with a criminal record. Also criminalized under the proposed injunctions would be continuing to operate what the Crown calls "a milk plant" without a license, such as, for instance, at Glencolton Farms. Counseling other people to consume raw milk would likewise be criminalized under the proposed injunctions.

Parties subject to charges under the injunction against operating a milk plant would be members and directors of the Agricultural Renewal Cooperative (ARC) which had taken over ownership of the operation from Michael Schmidt. Directors of ARC are specifically named in the proposed injunction, and include Michael Schmidt's wife Elisa VanderHout, and his son Markus Schmidt.

The Christian Community Church, in the parking lot of which distribution of raw milk has been taking place, is named as one of the parties in the injunction put forward by York Region Public Health.

While Elisa and Michael will be defending themselves in court, Toronto lawyer Davin Charney has been retained to represent ARC, The Christian Community, and Markus Schmidt.

In recent years, Davin has come to prominence through taking on and winning the case of [Adam Nobody](#), who was abused by police at the G20 demonstrations in Toronto in 2012.

## Media

Media on hand for the rally included a couple of independent filmmakers including Norman Lofts, maker of the first-ever documentary about raw milk and Michael Schmidt that aired on CBC Newsworld back in 2008.

Also on hand was a camera crew from Global TV who covered the rally and interviewed cowshare spokesperson Mascha Perrone, and other attendees.



Global TV crew interviews farmshare member Mascha Perrone.

Liane Kotler, the producer of the latest doc on Michael Schmidt and raw milk, was on hand throughout the proceedings. It was announced that her documentary — which includes footage from the recent Guelph Raw Milk Symposium in January — will air next Monday March 21, on Steve Paikin's show "The Agenda", on TV Ontario, at 8 pm and again at 11 pm, after which it may be available online on the TVO website.

## What Can You Do?

Michael has been talking to politicians at Queen's Park and what they've told him is that if the government's handling of raw milk is a problem for people, they (the Members of Provincial Parliament) need to hear about it from their constituents. So if this is a concern of yours, write to your MPP, call their office and keep writing and calling until you get satisfaction.

When in discussions with government, people were advised to talk about food rights, and freedom to choose, rather than arguing about whether or not raw milk is a healthier choice. People can decide that for themselves. What's crucial is that government recognize the rights of individuals to make that decision for themselves and for their children.

## 2016 Update

**Michael Schmidt is scheduled to appear in Ontario Superior Court in Newmarket on September 26, 2016. If you are able to come and show support, look for further details at [thebovine.wordpress.com](http://thebovine.wordpress.com)**