

9 Feb 2023

MEMORANDUM FOR ND HOUSE AGRICULTURE HEARING

FROM: Jacob Ryun

SUBJECT: Testimony in opposition of HB1515

1. I would like to offer my testimony on House Bill 1515, relating to the sale of raw milk directly to a consumer. First, I will provide some background on myself and my family. We live near Woodworth, ND and operate a small livestock operation with beef cows and horses. Additionally, we have a small herd of dairy cows and sheep, both of which were started as 4H projects by our children. We are frequently asked about purchasing direct-from-the-farm raw milk, but the only option we have is to offer herdshares. This is often complicated and involves attorney reviewed contracts and a lot of legal-ese that is a ridiculous barrier for such a simple transaction.
2. I believe, first and foremost, personal freedom of choice is at the center of this discussion. As we know, the agriculture industry has been on a path of more and more regulation and the result of this over-regulation has taken us further and further away from the very simplistic supply chain that should be farm-to-table food. Consumers have realized this problem, and as they educate themselves, they realize that the safest and healthiest products are local and available. With more and more food recalls, empty shelves, and supply chain issues, locally available food products have increased in importance. Additionally, people want to understand directly where their food comes from and can decide for themselves what foods they choose to purchase and consume. We see this in two very similar direct-to-consumer examples in locally sourced meat and eggs. Currently, both of those examples have favorable regulations for producers to offer products to those looking for them. I would like to see dairy follow suit, and I believe this bill is a step in the right direction to support that.
3. As I mentioned above, our small herd of dairy cows was started as a 4H project by our 14 year old son. He is an amazing young man, always the first to wake each morning to get to the barn and milk his cows before he is off to school. After school, he works hard in his animal husbandry duties with his cows, and milks again after supper each evening. We are very proud of him and his work ethic. I believe there are others like him in North Dakota, and we should be supportive of young people who have this determination, and interest in agriculture. My wife and I grew up in Wisconsin with most of our friends' families operating small dairy farms, and when we moved to North Dakota, we purchased a farm that was once an operating dairy. As we all have seen, over-regulation of the dairy industry has pushed out every opportunity for small, family-owned dairy producers to have even the slightest chance of making a living. To put this plainly, there is currently no practical path for anyone to 'start up' a dairy operation (even a small one) without beginning deep in debt. Further, the existing smaller dairy operators were squeezed out of this supply chain by regulation. I believe the intent of this bill mostly supports opportunities for beginner dairy operations.
4. I believe House Bill 1515 partially meets the desires of the current farm-to-table consumer "freedom of choice" needs. Several other states in this great nation, including our bordering states, allow for direct-to-consumer raw milk sales, and it's time North Dakota follows suit in supporting the same. However, I cannot offer my full support of this bill for one big reason. Line 7 includes verbiage regarding Grade A permits and it being a requirement for selling raw milk direct to consumers. This limits the ability to sell raw milk to a select few dairy operations. As I finalize my testimony here, I

see others have pointed out the fact that a “Grade A” permit doesn’t equal quality or safety of the milk. Simple things like a small crack in the concrete can disqualify a farm for Grade A permitting. Additionally, a requirement to have a bulk tank is not practical for some of the smallest producers. There are other practices that fulfill the need to quickly cool and safely store raw milk that are not as cost and maintenance intensive. This bill, as written, only serves to add an additional revenue option for the larger Grade A dairy farms. As a note, Grade A dairy farms already have the option to offer raw milk through legal means via herdshares. I support eliminating the barriers that herdshares include, for everyone, not just Grade A dairy farms.

5. In summary, I would support this bill if the “Grade A” requirement was removed. As it is written, I do not support the bill, but believe the acknowledgement that personal freedoms and opportunity are important to recognize. It is difficult for me to “oppose” this bill because I am obviously in favor of most of it, however, I believe it’s time to get this right once and for all. If you would like to contact me regarding this testimony or this issue, feel free to call me at 701-260-1462 or email jdryun@gmail.com.