

Small Farmers Fight Corporate-Driven Regulations

By Jim Tarbell

Corporate power threatened the livelihood of small farmers on many levels in the late 1800s, leading small farmers to initiate the drive to create our federal regulatory system. Now, 120 years later, corporate executives and their lobbyists have captured control of state and federal regulatory agencies and are writing rules that make it prohibitive for small farmers to operate at all.

All of the citizen-based pro-democracy groups that have risen to fight corporate power in the last 20 years, including the Alliance for Democracy, Move to Amend and the Community Environmental Legal Defense Fund, identify our corporate-captured regulatory system as a key element of corporate power.

Giant agribusiness presents a crystal clear example of how corporations corrupt the regulatory system. Since 1990, they have contributed over \$750 million to elect federal politicians friendly to Big Ag. Much of this went to congressional members sitting on the Senate and House Agriculture Committees that oversee the regulatory agencies. In 2014, agribusiness gave over \$8 million to members of the House Agriculture Committee, double the next largest group of donors. On the Senate side, Food and Ag were far and away the biggest campaign donor to Senator Pat Roberts, the new chairman of the Agriculture Committee, giving him a whopping \$662,560.

In 2013, Big Ag spent \$150 million on lobbying regulatory agencies and Congress. According to the Center for Responsive Politics (CRP), agriculture services and food processing corporations, “have steadily increased lobbying expenditures during the last few years as Congress has considered new food safety regulations and disclosure requirements that would affect their products.” CRP also points out that agribusiness gave lucrative jobs to 771 former public servants, who mainly worked for the agencies regulating corporate agriculture or the House and Senate Agriculture Committees. Agribusiness has made our federal government the major training institution for agribusiness lobbyists.

Corporate agriculture's most reliable mechanism for capturing regulatory agencies, however, is their ability to place their executives and lobbyists into top positions at the regulatory agencies. Monsanto has revolved 15 of its executives and consultants into major federal policy-making positions, including Michael Taylor who has worked in many agribusiness and federal regulatory positions including a stint as the administrator of the US Department of Agriculture Food Safety and Inspection Service.

Food safety policies have been one of the access points Big Ag uses to stop small farmers from taking away agribusiness market share. Agribusiness does this by instituting huge cost barriers that stop small producers of agricultural products from entering the industry. The regulatory stance against small raw milk producers was initially championed by John Sheehan, the director of the Food and Drug Administration's division of Plant and Dairy Food Safety. At one point, Sheehan told a legislative hearing in Maryland that “raw milk should not be consumed by anyone, at any time, for any reason.”

David E. Gumpert had to file a Freedom of Information Act request to find out that Sheehan came to the FDA directly from the dairy industry's Leprino Foods, which spent \$300,000 on lobbyists in 2013, and has been a substantial contributor to political campaigns.

Big Ag's campaign to stop consumers from drinking raw milk produced by small farmers is taking on a movement that Sally Fallon, of the Weston A. Price Foundation, says includes “about 500,000 Americans— about 5 percent of milk drinkers,” and she adds “the number is growing exponentially.” Mark McAfee, the Executive Director of the Raw Milk Institute, points out that “pasteurized ‘white milk’ sales dropped by an astounding 4.3% nationally. This is a very real indicator of market collapse and dollar voting by consumers.”

This helps explain the regulatory aggression against small dairies like Dan Brown's. He became the state of Maine's test case against the Local Food and Community Self-Governance Ordinance (LFCSGO, see pages 18-19). After the first three towns passed the LFCSGO, Ag Commissioner Whitcomb determined to “do something about those food sovereignty farms.” Just four months later, the state of Maine initiated a lawsuit against Brown for selling his farm products without a license. The case made its way to Maine's Supreme Court, which ruled against Brown, yet avoided pre-emption of the LFCSGO.

After 100 years, corporate power has turned the regulatory structure envisioned by small farmers to control corporations, into a corporate weapon putting small farmers out of business. But, small farmers are fighting back. We can help by demanding our rights to eat the food we want, and by shifting from centralized, corporate rule-making to local rules.



graphic: Matt Wuerker

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John Sheehan, former executive of Leprino Foods and subsequent director of the FDA's division of Plant and Dairy Food Safety.

photo: David E. Gumpert