



Written by [Bruce Walker](#) on August 6, 2010

Health Inspectors Target Lemonade Stand

Multnomah County, Oregon, takes food safety seriously. When seven-year-old Julie Murphy opened a lemonade stand at a local fair, the county's inspectors asked if she had a license. Julie did not, and she was threatened with a \$500 fine if she continued to sell lemonade without a license. Julie continued to sell lemonade until another county inspector approached her lemonade stand. Jeff Cogen, Multnomah County Chairman, later advised that this was not the best use of county resources and so allowed little Julie to continue to operate her lemonade stand.



During a time in which Americans are almost daily told of the serious shortfalls in revenue for state and local governments, the Julie Murphy Affair is an excellent reminder of exactly why government, at all levels, finds itself without enough tax dollars to do its job: When two health inspectors are needed to patrol the activities of a seven year old girl, then we have reached the point in which almost everything that can be regulated is regulated, for our benefit and at our expense. It would interesting to know, in the next round of budget hearings in Multnomah County, whether anyone proposes reducing the size of the health inspection unit. The answer, probably, will be "No."

Although the silliness of this example is manifest by the age of the culprit (a seven-year-old girl) and the iconic junior business being operated (the famous lemonade stand), the sorts of overactive health inspectors in Multnomah County are alive everywhere in America. I knew a wonderful older woman, Martha, in my childhood neighborhood who, in order to make a little extra money for her family, baked pies in her kitchen and sold those pies to neighbors.

Health inspectors descended on her home, sternly warned her to cease and desist, and gave her a lecture on all the hoops she would have to jump through before she could sell pies. If the public interest at issue was cleanliness, Martha could probably have given lessons to the health inspectors. Her kitchen was immaculate and, because she cooked for the family she loved, her interest in good hygiene in her kitchen was much greater than any municipal ordinance could mandate.

Her "customers" were neighbors and friends, people who had eaten her baked goods many times and never once gotten sick (except, perhaps, by eating too much of her delicious products). Martha could, of course, give her pies to friends, neighbors, or donate them for a church sale — all of which she did. But she could not sell those same pies that were otherwise being happily consumed. The episode was a sad, small reminder of just how big and intrusive government has become.

Martha, who would never have thought of evading so much as a library fine, felt for a very brief period as if she was a public enemy. The respect that she, like so many patriotic Americans, had for her elected officials inevitably took a hit. The work she loved to do, baking wonderful things in her kitchen, could not be used to earn a little pocket money for her or to save for when her family might need it. The pies she made, which were so much better than anything one could find in a store or even a bakery, and



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which she was selling at a very modest profit margin, were denied to the consuming public.

Sometimes the harm of rampant state regulation and bureaucracies, which must find work to stay busy, is theoretical and abstract. But sometimes, like with little Julie Murphy and my dear friend Martha, the impact upon our lives becomes very clear.



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