



Written by [Michael Tennant](#) on February 17, 2012

Amish Farmer Closes Raw Milk Business After Feds Slap Injunction on Him

Although the injunction did not prohibit Allgyer from selling his milk in his home state, the farmer, tired of the stress and strain of fighting the feds, has decided to “shut down his farm altogether,” according to the [Washington Times](#).

As [The New American](#) has previously reported, Allgyer was supplying milk to a private food-buying club in Maryland called Grassfed on the Hill. Selling raw milk is legal in Pennsylvania, but not in Maryland, which also prohibits other arrangements, such as cow sharing, whereby individuals may obtain the substance.



The FDA contends that the interstate sale of raw milk, which the agency considers thoroughly unsafe to consume despite the fact that over half the states allow raw milk sales, is illegal simply on the FDA’s own say-so. Thus, though no one had complained about Allgyer’s milk, which Grassfed on the Hill members have obtained for over six years, the FDA took it upon itself to launch a two-year investigation of Allgyer and the club, complete with undercover agents, straw purchases, and early-morning raids on Allgyer’s Rainbow Acres Farm.

On February 2, U.S. District Court Judge Lawrence Stengel, an appointee of President George W. Bush, acceded to the Justice Department’s request for a permanent injunction against Allgyer. Stengel rejected the arguments Allgyer offered in his own defense, including the fact that the arrangement between Allgyer and the club was a private contract. Stengel declared that the club members’ “cow share agreement” — they were actually leasing the cows through another organization — was “merely a subterfuge to create a transaction disguised as a sale of raw milk to consumers.” He even argued in a footnote that “the purchase of raw milk by one who traveled between states to obtain it, or traveled between states before consuming it or sharing it with friends or family members, implicates” interstate commerce and therefore is illegal — going even further than the FDA, which has said it won’t prosecute individuals for crossing state lines with raw milk for their own consumption.

While Stengel did not give the government everything it wanted in the injunction, he did ban Allgyer from selling his milk in Maryland and ordered him to “continuously display” this statement:

Daniel L. Allgyer and Rainbow Acres Farm [and/or any other entity or name by or through which Daniel L. Allgyer operates] will no longer introduce or deliver for introduction, or cause to be introduced and delivered for introduction, into interstate commerce, any unpasteurized milk or unpasteurized milk products. Selling or distributing Rainbow Acres Farm’s unpasteurized milk and unpasteurized milk products outside the state of Pennsylvania is prohibited by federal law.

In addition, the injunction states that if Allgyer is ever again found to be connected in any way with the sale of raw milk across state lines, he will be forced to cover the costs of the government’s investigation



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and prosecution of him.

It's not difficult to see why Allgyer decided he was better off giving up dairy farming than trying to carry on with much of his customer base declared off-limits and the sword of Damocles hanging over his head. A statement issued by Karine Bouis-Towe of Grassfed on the Hill said as much:

Dan and Rachel Allgyer have determined that they will discontinue service to our group and close down the farm. Dan has served many of us for more than six years and he is very saddened to have to make this decision but the stress and strain that his family has been under for the past few years due to the case and now the decision has given them no other choice.

Needless to say, the situation has the club's roughly 500 active members more than a little upset, although the *Times* notes that they "are wary of talking publicly, fearing the FDA will come after them."

One who did speak to the paper on condition of anonymity observed: "I can't believe in 2012 the federal government is raiding Amish farmers at gunpoint all over a basic human right to eat natural food. In Maryland, they force taxpayers to pay for abortions, but God forbid we want the same milk our grandparents drank." (The FDA, for its part, [maintains](#) that individuals "do not have a fundamental right to obtain any food they wish.")

Liz Reitzig, one of the club's organizers, told the *Times* that the government lawyers who went after Allgyer should "be ashamed" of themselves.

These people's "anguish" is understandable, argues raw-milk advocate [David Gumpert](#). "It's never easy being deprived of good healthy food, especially when you've become used to having it regularly," he writes, "and the deprivation isn't the result of war or pestilence, but rather the result of the devious intimidation tactics of your own supposedly representative government."

Bouis-Towe told MSNBC.com, "We are making arrangements to continue to serve our customers. We're not giving up as a buying club in supporting the consumers' demands."

Finding willing suppliers in the wake of the Allgyer decision will not be easy, which is undoubtedly what the FDA was hoping for. Fans of raw milk believe the government's objective in prosecuting Allgyer and other suppliers is, in Gumpert's words, "to scare farmers off the land, and out of the business of producing healthy food" — to the benefit of large processed-food producers and the detriment of those wishing to consume natural foods.

Now, more than ever, Rep. Ron Paul's (R-Texas) [bill to legalize interstate commerce in raw milk](#) and raw milk products needs to become law. As Paul explained in introducing the legislation, "Many Americans have done their own research and come to the conclusion that unpasteurized milk is healthier than pasteurized milk. These Americans have the right to consume these products without having the federal government second-guess their judgment or thwart their wishes."



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