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The Solari Report

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**Solari Food Series:
Everything I Want To Do Is Illegal
The War on Meat, Part III
with
Joel Salatin**



Pete Kennedy: Welcome to the *Solari Food Series* audiocast. I am your host, Pete Kennedy, doing *Part III* in our series ‘The War on Meat’. This audiocast will cover the regulatory war on meat and the attack on small farmers, ranchers, and slaughterhouses that took effect with the passage of the Wholesome Meat Act by Congress in 1967. Without a doubt, this is one of the worst food laws in our history.

To help us get through the impact of that law and its enforcement on the quality of our meat supply, it’s an honor to have Joel Salatin as our guest.

Joel is a longtime face of the local food movement in this country. The Salatin family farm, Polyface Farm, is hallowed ground for many of us in that movement.

Through his innovative farming techniques, books, and talks on regenerative agriculture, internship programs, and nonstop evangelizing of healthy food and healthy food systems, he has left an enormous footprint in this area of the world, and he continues to expand on it.

For purposes of this audiocast, Joel is a walking history of how things were before and since the implementation of the Wholesome Meat Act. He started raising and selling meat over 50 years ago. Today he raises beef, pork, and poultry on his farm. In addition, he is the co-owner of T&E Meats, a USDA certified slaughterhouse and processing facility in Harrisonburg, Virginia.

Joel, welcome to the *Solari Food Series* audiocast.

Joel Salatin: Thank you, Pete. What a delight and an honor to be with you. It’s great.

Kennedy: We’ve been over much of this ground before. I think it would be great for the listeners and readers to have it repeated.

We are will go back to 1970, a time when the Wholesome Meat Act had passed Congress, but it had not been implemented yet. So the old laws were still in

effect. Can you talk about the Staunton Curb Market and explain the meat products you were selling then and the meat products you could have sold then?

Salatin: I realize that I'm really iconic in this space. The Staunton Curb Market was instituted during the Depression because farmers were long on food and short on cash. People in town weren't long on cash, but they were shorter on food. So, the locality and many others in the country, conceived of this idea of a direct interface between farmer and consumer. This was before the modern farmers' market movement.

We already had food regulations at that time. This was in the 1930's. So, the Food Safety and Inspection Service was only 20 years old.

What they worked out there, which became grandfathered in 1967, was an agreement between the extension service, which is the educational arm of USDA, and the Food Safety and Inspection Service, which is the regulatory arm of the USDA. They agreed between the two of them that any farmer could produce, process, and sell food directly to consumers without inspection.

For example, my wife's grandmother had a Majestic wood stove in her house. Every Friday night, she would make 40 pies and take them to curb market and sell them.

She had many friends. They have all passed away now, but for many of these people – especially the women who made processed foods like pies and baked goods and potato salad and cured meats because people would kill hogs on the farm and cure it in a smokehouse and sell big slabs of cured ham and bacon – it provided the cash to get married and build a house. In those days, that's how money was made by many of these families.

I came along in the late 1960's, and was ten years old in 1967. I started with a flock of chickens, and it grew. By 1970 when I was 13, and I needed an outlet for my eggs. By that time, my dad, who was an economist and an accountant by trade, recognized that the way for a small farmer to make a living was to get a higher margin. The farmer needed to wear the middle man hats – the processor, the distributor, and the marketer. If the farmer could wear more of those hats, then a small farmer could make a nice living because all of the money between

the farm gate and the consumer plate wasn't taken out by other people; it could be used by the farmer.

We found out about the curb market. By the time I joined at 13 or 14 years old, it had dwindled to two elderly matrons. In its heyday, it had about 70 vendors; it was huge. It was like a local Walmart, if you will, and you could buy everything from eggs to meat, butter, pies and cakes, canned goods, pickled beets, and canned green beans; they had everything.

Kennedy: There were no middle men, right? It was all direct?

Salatin: There were no middlemen, it was all direct, and there were no inspections. There were no HASSA (Health & Sanitation Safety Awareness) plans-nothing. The only thing you couldn't sell was fluid raw milk. You couldn't sell that, but you could sell yogurt, butter, buttermilk, cheese, and anything that was value-added from milk.

We joined the market. It was funny because they didn't know what to do with a young child like me. For the women who were selling, they were required to join a Home Demonstrations Club. After all of the Vietnam demonstrations and rebellions of the early 1970's, they changed it to Extension Homemakers Clubs because they didn't want to be associated with demonstrations. So, it became the Extension Homemakers Club.

I didn't want to join an Extension Homemakers Club, so they said, "What would show that Joel is getting the latest and greatest from the extension service – the educational branch of the USDA? He could join 4H; 4H would show a good faith effort to be a friend of the government."

So, I joined 4H and became very active in it. That enabled us to sell.

Here's what we sold: We had a couple of elderly neighbors who had grown up home-processing meats, and they came down and showed us how to field dress a steer. We would go out in the field and drop a steer in it with a couple of concrete blocks to hold his hips up. We would skin it out and take it to the shed. Obviously, we did this on a cool night, so we would watch the weather. When the weather was cool, we would do this because there weren't any flies.

We would hang it up, put a shroud over it, and hang it for a few days. Then we would cut it up, and we sold steaks and roasts. We could grind that meat and could do the same thing with hogs.

People had wood fired hog scalders. Everybody had one. Many people used barrels. They would put a fire underneath a barrel, and then they would drop the hog in to scald it. We made home-processed hogs. We could sell pon haus, chitterlings, cracklings, sausage, and all those old, traditional foods.

Kennedy: What is pon haus?

Salatin: Pon haus is a regional food from the Shenandoah Valley. They would take all the parts of the hog that they didn't want to use, throw it in a big copper pot over a wood fire, and let it seethe in there and make a broth. It would cook for four hours and make this really nice broth. Then you would put in some cornmeal, pepper, and salt.

Kennedy: Was it like scrapple from the Pennsylvania Dutch?

Salatin: It was similar, but I like pon haus a lot better than scrapple.

Kennedy: I don't know too many people outside of Pennsylvania who like scrapple all that much.

Salatin: It went in hot like a porridge into vessels, and as it cooled, it became like cold cream of wheat. You could slice it or eat it cold or fry it.

The point was that we could process all of this, and even value-add it to all of the traditional delicacies that people made out of things. I could cook chickens and pick off the meat and sell 'picked off chicken' ready for casseroles – precooked.

One of the ladies made a wonderful potato salad that she would make in her kitchen. It was to 'die for'. We milked a couple of Guernsey cows, so we made yogurt and butter; we sold butter and cottage cheese. We would make a lot of cottage cheese.

We could sell all of this with zero inspection, fully value-added-get the full retail dollar with no paperwork and no inspection-and this was done for decades and decades. I never heard of a single person ever getting sick or ever getting hurt. It was all really great 'stuff'.

I cut my teeth on that and grew and enjoyed that kind of food freedom for years. Then when I got out of high school, I was the only one in the family who wanted to do it. So, from when I was about 14 to 18, every single Saturday morning of the year I was at the market. It was a year-round indoor market. Every Saturday morning, I was up at 4:00 taking my goods down to the curb market with these two elderly matrons who taught me how to sell and interact with customers. I wouldn't trade that experience for \$1 million. It was so valuable to have those two matriarchs who took me under their wing.

I think that I probably injected a lot of enthusiasm into the market for them because when I went to college, and we shut it down, within no time at all, they quit, and that eliminated the grandfathering of the market. I have always wondered what would have happened if I had not gone to college, stayed there, and kept that open. How far would we have been grandfathered into the modern era?

Kennedy: That was a tough one because you hit the time right when the USDA was passing regulations to implement the Wholesome Meat Act. So there really wasn't anything there.

Could you explain to the listeners and readers how the Wholesome Meat Act changed the law?

Salatin: How that law changed things was, up until 1967 or the early 1970's, every five miles, every little community and neighborhood had somebody who knew how to butcher. People would take their animals there, and that farmer would earn a 'side hustle'. He and his family members would enjoy it. They had a knack and a skill for home butchery. They would do animals for people. They would get up with a hog scalding, some minimal equipment, and good knives, and anybody could get animals done in the neighborhood.

After 1967 when I was 10 or 11, I remember well a delegation of about 30

people from our county getting into a car and driving from Richmond to lobby against the implementation of this act. They didn't win, but as the act went into effect, all of these neighbors and friends who were doing this work couldn't comply. They suddenly had to have all these buildings, and they had to pass all these inspection requirements and different things.

The thing was I'm sure that there were some that were not as clean as they could have been, but I remember going down with our hogs or a beef or whatever, and standing there and watching them do it. It was very transparent. If it was dirty, we didn't want our stock back.

It might have been wooden tables, they might not have had a sophisticated structure, but the tables were clean and the expertise and the artisanship was certainly efficient and well-done. Food safety was never a problem. That's what I'm getting at: It was never a problem, and you could go to these neighborhood places and get jobs done.

After 1967, they all closed except for a couple who upgraded. They poured some concrete and upped the inspection requirements.

Kennedy: It's amazing when you look at the history. When they passed that act, there were approximately seven states that allowed on-farm slaughter, and you could sell any meat slaughtered on the farm directly to the consumer. If I remember right, I'm not sure that any of them had any regulations.

The Wholesome Meat Act did that, and then there was a law a couple of years after that called the Curtis Amendment. It was to set categories up of custom meat and inspected meat.

As a slaughterhouse owner, you know that very well. Will you please explain the difference to the listeners and readers.

Salatin: The thing you have to understand is that when the Amendment went in and they designated that even custom work had to be inspected, prior to that, neighbors worked together. It was not expensive to get set up to do the processing, and you didn't have to pay much for the processing because the person who did it didn't have a large amount of money tied up in capital

infrastructure and paperwork to be able to get a license. It was neighbor to neighbor and friend to friend. It was very community-centered and community-organized.

After the 1967 Wholesome Meat Act, when they designated the three categories of federal inspection, state inspection, and custom processing, it criminalized this direct community-centered neighbor to neighbor type of processing. Even if I wanted to go to somebody who offered the service, that person could not now just do business with me privately, individually, and cut my meat – even though it was my own meat and I wanted to bring it home to eat it myself. That neighbor still had to comply with numerous inspection and infrastructure requirements.

Lest anybody think, “Why is anybody upset about inspection? Inspection guarantees safety and all this stuff,” you have to realize that the inspection had very little to do with measuring anything. What it actually measured was infrastructure. In order to pass inspection, you had to have a certain amount of concrete, a certain amount of square footage on a kill floor, a certain amount of square footage in a cut room, and a certain amount of infrastructure to do this.

It took all these little neighborhood people who did this as a sideline to supplement their income, and forced them into a \$100,000 or \$200,000 capitalization infrastructure program, which they didn’t do enough volume to pay for that kind of capital intensity.

Imagine, if in order to put an item on eBay, you had to get a fire marshal inspection of your office area, an OSHA inspection of the chair you’re sitting on, a license to operate eBay so that you don’t leave any customers ‘hanging’ or abuse anybody, etc. I could go down this path, but when you start putting that in, the question is: Would anybody put anything on eBay? No, eBay wouldn’t even exist.

That is what happened. When the government came in and decided that I couldn’t even get a neighbor to process a beef or a hog or a lamb or a goat for me without going through this labyrinth of infrastructure requirements, suddenly, the amount of choice and opportunity and the number of people who were willing to capitalize all that was a tiny amount who had been doing it for

years.

Our county went from 30 of these little neighborhood ‘outfits’ to three. Those three were suddenly twice as expensive as they had always been. So, not only did you not have as much choice, but economically now to get their money back for the infrastructure requirements, these fellows had to charge a lot more for processing.

Kennedy: There is a small business report that came out a few years after the Wholesome Meat Act passed, and they made statements in there like, “The Wholesome Meat Act was as much a disaster for small firms as a hurricane.” Then they talked about the Small Business Disaster Fund based upon the legal principle that the fund is created by the act of a sovereign U.S. government. They said in the paper that the sovereign act is similar to a natural disaster.

So those are some of the problems it caused. Just in your county, it caused problems. You figure that there are 3,100 counties in this country. If only your county has 30 slaughterhouses, how many slaughterhouses is that? That’s over 90,000 local abattoirs.

Salatin: You are exactly right. You could not have done more destruction to the local meat processing action. You could not have done more if a tornado or a hurricane came through and destroyed all of those.

This new regulatory environment literally annihilated this entire local food subgroup.

That was in the early 1970’s when all of this was implemented, so the timing of this is so interesting. Through the 1950’s and 1960’s, the factory farming methodology was just starting. Frank Perdue was just getting a toehold, and Don Tyson was just getting a toehold in the late 1960’s. We were on the cusp of this revolution to truly industrial scale factory meat. We were in the 1970’s right before the 1980’s, and this resurgence of the ‘hippie back to the land’ movement and the organic movement and all of that.

I call this the decade of transition where the new regulations took advantage of a consumer apathy toward good food, and it was implemented before

consumers became interested in good food again. There was this ‘no-man’s’ time in between there.

I always said that we were about 15 years ahead of our time at the curb market. If I had gone down there in 1985, the Virginia Association for Biological Farming was started in 1980. So it was just on the cusp, and curb market was a hanger-on to the 1940’s and early 1950’s system. It dwindled and almost died out in the 1960’s because of TV dinners and squeezable Velveeta cheese.

If it could have hung on until La Leche League and Lamaze and the organic movement started getting traction in 1980, who knows what it would have been. So, today’s farmer’s markets – when we moved to the modern farmer’s markets – these farmer’s markets that we have today sometimes even add their own regulations to the government regulations. I can assure you that the farmer’s markets of today don’t have anything in price or choice compared to that curb market of the 1960’s and 1970’s.

Kennedy: Getting back to Perdue and Tyson, do you think that without the Wholesome Meat Act we would have the CAFO (Confined Animal Feed Operations) system that we do? Or do you think it just accelerated it?

Salatin: I think that the CAFO and factory farming concept was the ‘horse that already left the barn’. I think that as a nation, taking a mechanistic view towards food would have happened anyway. I believe that what the big difference would be if we hadn’t had the Wholesome Food Act is it would have allowed for a resurgence of local food as the public became aware of the abuses within the industrial production and processing sector, with movies like *Food, Inc.*, and the whole new awareness of how bad that food was. The Wholesome Meat Act has stifled the ability of the local food system to respond to the resurgent public demand for an alternative to the industrial food system.

I can’t speak to the beginnings, but I think the culture was moving in that direction. But when many people in the culture were ready to abandon the factory farm notion, they had nowhere to turn because the vibrant local food option had been wiped out by a regulatory juggernaut.

Kennedy: I think you’re right. The 1960’s was a certain time period, and as

time went on, people became more separated from the producers of food. There was a bigger separation.

You mentioned Velveeta. There was also Wonder Bread, Chef Boyardee, Spaghetti O's, Bosco, and all that factory food. The regulatory focus was more on acute illness and not this chronic disease that all these foods caused. The country really paid the price for losing that connection to the farm, especially starting in that era.

We had this period of real consumer ignorance right before the 'back to the land' movement started. This Wholesome Meat Act was marketed as a consumer protection measure when it was really all about industry consolidation.

We are going to get into some of the things that the law did. We talked about inspection before, but there is a difference between inspection of a custom facility and inspection of a state or federally-inspected facility. As an owner of a slaughterhouse, what is the difference?

Salatin: The difference on a custom slaughterhouse is that there is not an inspector physically on the floor examining every animal. The whole premise of custom processing is that the butcher is actually processing animals for you. In other words, these are not animals for sale, and the packages come out stamped, "Not for sale."

The licensing is given based on infrastructure. There are procedures involved. They look at the size of the kill floor and holding pens and different things like that. They look to see if the holding pens are sound. Can the animals break out of the holding pens?

I remember very well the place where we went and had our custom work done. The person had a \$100 squeegee standing in the corner, and he never used it. I asked him, "What do you use that for?"

He said, "The regulations say that I have to have one."

I said, "Do you have to use it?"

He said, “No, I never have to use it, but in order to have a license, I have to have a squeegee.”

The reason the regulations required him to have a squeegee was to squeeze down the clotted blood on the floor. Because he was doing them so slow – one at a time –there never was any clotted blood on the floor. You could eat breakfast off the floor. But this was an item that the regulation said he had to have if he was going to process a steer or lamb.

That’s what custom is; custom is when somebody does something personally, and it’s stamped, “Not for sale.”

State inspection is basically equivalent to federal, except you can’t sell it or ship it across state lines. State inspection means that there is an inspector physically on site during the kill process. They don’t have to be there during the breakdown and the fabrication process, but they do have to be there during the kill process.

For federal inspection, they have to be there during the process.

If you walk into all three, to the novice, you can’t tell the difference between any of them. The main difference is that the state and federal inspection have to maintain an inspector’s office and an inspector’s bathroom.

Kennedy: So, they have to have a separate bathroom. An employee bathroom doesn’t meet the standard.

Salatin: They can’t use the breakroom that the employees use. That is correct.

Of course, you can imagine that is another huge cost. Then, of course, the inspectors actually look – or at least they are supposed to look – at all the guts and the entrails when the animal is killed to determine that it’s okay for human consumption. But the custom processor looks at it all also. It’s not like there is some sort of a veil that keeps a nongovernment employee from being able to see a bad liver.

Anybody can see if the liver is good or bad. So, the physical procedure and product coming through the three types of plants are virtually identical. The difference is the overhead cost of maintaining the paperwork, the monitoring controls, taking temperatures every once in a while, putting down the paperwork, and maintaining the inspector's office. It's the paperwork and overhead that differ. The kill is the same procedure, the holding pen is the same procedure, the chilling is the same procedure, and the packaging is the same procedure. The cutting tools are the same to cut an animal in half.

Everything is the same, except you have this 'mountain' of, not only paperwork to fill out, but you also have offices and people hanging over your shoulder who can slow you down procedurally and unnecessarily. Of course, in the state and federal, you can sell those packages. Those packages are not stamped, "Not for sale," so you can sell them.

In a federal facility, you can sell it across state lines, you can export it, and you can do all sorts of things with it. But when you bite into a hamburger, you can't tell the difference whether it was done in a federally-inspected plant or a custom plant. It's the same thing.

Kennedy: If I have a choice between a custom burger and a federal burger, I'm going with a custom because that federal burger might have been a place that processed a few hundred animals an hour.

Salatin: That is exactly right. In fact, a McDonald's hamburger has pieces of six hundred different animals in it; six hundred different animals!

The custom facilities, since they are doing animals for individuals, are inherently slower and smaller because they are doing one animal at a time. They are not doing 2,000 animals a day that get combined and amalgamated through the system. That is the difference.

Kennedy: To break down the regulatory scheme, you have the statute of the Wholesome Meat Act, which isn't all that long, but then you have the regulations in which there are hundreds of them. Then you have what is called FSIS directives trying to explain to the inspectors how they are supposed to enforce the law.

You have several war stories with this regulatory system.

Salatin: Let me give you a great example: In our federally-inspected slaughterhouse, our kill floor manager retired at the exact time that we got a brand-new inspector. They rotate inspectors throughout. In a very small plant like ours, it's generally not a place where the inspectors want to be. That is where they start out because their career path is to get to one of these great big plants.

So, we opened Monday morning with a brand-new inspector and a brand-new person on the kill floor. He was really nervous, and she was nervous. So, along came the first pig, and the person missed the Stun Bolt a little, and the pig squealed. If you've ever heard a pig squeal, it's quite loud. So, he quickly put in another one, and he did it right the second time. He put it in the right spot, and the pig went down.

The inspector, who was bending over his shoulder because this was her first job, was paranoid, and went ballistic when the pig started squealing. She shut down the whole plant and said, "You're out of business. This is an egregious violation of animal abuse." We were written up for almost a felony, and were out of business.

My partner, the manager of the plant, called me in a panic. He said, "We just got closed down. I had to send everybody home. What am I going to do with the animals that are in the holding pens? I've got to call everybody who is waiting this week."

It almost crushed us. We were out of business for a week. Finally, we got back in the following Monday morning, and were back up and running. But here is what we learned: Because our Hazardous Analysis Critical Control Point plan, which is the blueprint of procedures that the government checks and signs off on, with these procedures, this will give us a safe product. So, they are not actually empirically checking me; they are not actually looking at procedures; they are looking at paperwork.

Because our Hazardous Analysis Critical Control Point (HACCP) plan on the

kill procedure said, “Procedure 1: Administer Stun Bolt. Procedure 2: Slit throat,” we were in violation. If instead, we had written, “Procedure 1: Administer Stun Bolt. Procedure 2: If number one fails, re-administer Procedure 1,” there would have been no violation, and we would have been just fine. But because we are a small plant and can’t go to all the trade conventions where they talk about these kinds of things, we were unaware of how to craft that procedural thing to create a lot of forgiveness and flexibility in accidents.

When you are dealing with animals, there will be accidents; there just are. So, that is just one example of the kinds of rigmarole.

Our employees didn’t get paid for that week, and our customers couldn’t bring their animals in that week. It almost crushed us. It was something as simple as not having a catch-all Procedure 2 in our HACCP plan.

You compare that to a custom facility where there is not an inspector standing over your shoulder, there is no HACCP plan, and you’re going about your business doing things, that kind of shenanigan does not exist in a custom house. That is why typically, the cost of getting animals processed in a custom house is 30% less. So, if it costs \$600 to process an animal in a federally-inspected facility, it will cost only \$400 to do that same animal in a custom facility. That \$200 difference is major if it’s doing one for me, or if it’s a whole animal that is being done for somebody else.

The point is that those are huge cost variations that inordinately affect people who can’t afford to buy or take in a whole animal at a time. Many people can’t afford to take in a whole animal at a time. So, they are forced to pay substantially more per pound as a prejudicial, discriminatory system just because they can’t afford to take in a whole animal. That is patently unfair, and it is patently unfair to economically disadvantaged people.

Kennedy: It’s like you said, “The consumer is the one who really suffers the most on this just because of the price differentials.”

You have a book that tracks the work that attorneys do in this area better than any other, *Everything I Want To Do Is Illegal*. There are less problems with the custom house, but even the laws on the custom house occasionally are open to

interpretation. You have one particular horror story about a dispute you had with the Virginia Department of Agriculture over the sale of custom beef. Could you tell that story to the listeners?

Salatin: We were using a custom house. The loophole in the custom regulation was that as long as you bring that animal in with your name on it, that is your animal. So as long as those animals go in agreed-upon live, and they go in with a customer's name on them who made the arrangement while the animals were alive, that is a custom animal.

How long do you have to own an animal before it's yours? Well, if you own it for 30 seconds, it's yours.

Kennedy: As long as slaughter hasn't taken place, it's yours.

Salatin: Exactly. When you unload the animal, you say, "This animal is owned by Jim Smith."

So, this is what we were doing. This is what many farmers do all over the country. We had taken 12 or 15 animals down one fall; it was our main fall slaughter at that time. There was a knock on the door. There was a state agent with a big badge that looked like an FBI badge. He said, "I'm here, and I'm confiscating all of your meat because you are selling it illegally."

I said, "Whoa! Wait a minute. This is the regular procedure done all over the place."

He wasn't interested in hearing that, so he went to the slaughterhouse and put up yellow police tape and embargoed it. He demanded that I give him the names of all my customers.

I said, "No, I'm not going to do that. The names are on the beef at the slaughterhouse. If you want the names, the names are there. You just impounded it. Get the names off that."

This was before the internet, so he basically parked at the front gate for a week. I immediately called our state delegate and our state senator and got them

involved. One was a Democrat, and the other was a Republican. They were both incensed and in favor of trying to protect us in this.

Essentially, the state's position was that if the money trades hands after the animal dies, it doesn't matter what type of contractual agreement you had prior to death. If the money transaction is postmortem, then it is an after-death sale and therefore illegal in a custom house.

Kennedy: Which is crazy.

Salatin: That is totally crazy. So it took us a week; it was a week of hell for us. But on Friday morning, he walked in and said, "Richmond says that we are going to just assume that this didn't happen."

I said, "Well, that's nice for you to say, but I don't think that we are going to let it drop here."

So, they took the impoundment tape off, and we went ahead and processed. Earlier in the week, he said, "We ought to do an investigation."

I asked, "How long is the investigation?"

He said, "It could take six months."

I said, "The meat will all go bad by that time."

He said, "That's too bad."

There was never a question of the meat being safe to eat; that was never a question. The only question was procedure; that was the only question.

They removed the tape, and we then got our congressman involved as well. We asked for a meeting with the federal and state head of inspection at our house. We said, "We don't want this to ever happen again. Let's figure out what we will do going forward."

They came out, and we had our state delegate legal assistant here and our own attorney. This was before you came along, Pete, so our attorney was sitting in

the living room along with everybody. I said, “Why us, and why did it change?”

He said, “An informant turned you in.”

I said, “Do I have a chance to face my accuser?”

He said, “Oh, no. That is all confidential.”

I said, “What changed? Everybody does this, and they are still doing it right now. You haven’t gone to anybody else. What changed?”

He said, “We just changed our interpretation. We decided that if money changes hands postmortem, then it is automatically a postmortem sale, and that is illegal.” It was arbitrary, just like that; it was, “That’s our new position. We took that position last week, and that is going to be our new position.”

So, the breakthrough in the discussion – because we somewhat had this standoff in the living room – was when I finally asked them, “Put yourself in my shoes. I’m trying to get beef to the people who want it, and I’m trying to use a custom slaughterhouse that you license. What would you do?”

They sat there, and thought for a little while. Then they said, “Listen. Why don’t you sell it live?”

The reason I didn’t want a postmortem price is that carcass yield is different. One animal might dress out 52%, and another animal might dress out 58%. So, I wanted to base my price on carcass hanging weight because different animals hang out at different amounts.

Kennedy: Instead of the live weight that they wanted you to base it on.

Salatin: Exactly, instead of live weight. So they said, “Listen, why don’t you charge a live weight, and then you can adjust it because the yield can be different from carcass to carcass. Adjust it, and just call it ‘service and handling’ fee.”

I said, “If that works for you, I can play that game. That works for me.”

So, for the next several years we charged \$1 an animal, but that service and handling was serious!

What was ironic was that in Virginia, we charge sales tax on product, but we don't charge sales tax on service. So, we've been sending thousands of dollars to the state in sales tax collections for all of this meat that we were selling. Well, when we went to \$1 a head on the meat and only charged the service and handling fee, suddenly, we didn't send any sales tax in.

If you tried to make this stuff up, you couldn't make it up. That's how 'wacko' it is.

Kennedy: Common sense 'goes out the window'. They only care about process. Like you said, this isn't about food safety. They have their manual and their process they have to stick to. That's their goal more than safe food.

You have a couple of other examples in *Everything I Want To Do Is Illegal*. You talked about the Stanton Curb Market; you talked about these value-added products, no inspection and no regulation, and no illnesses.

With this Wholesome Meat Act now, one of the foods that you speak about is bacon. Talk about how the rules changed your cost when it came to processing bacon.

Salatin: Here is the problem: If you want to make bacon, even if you take the animal to a federally-inspected slaughterhouse, the moment that it comes back in a package with what is called the 'blue buzz', that is the USDA inspection symbol. If you open that package and do anything to that product, it now comes out of inspection. So, not only do you have to have the inspection of the animal done initially, but then anything you value-add from that animal also has to have the inspection.

If your slaughterhouse doesn't make bacon, then you have to either have the infrastructure and facility to do it yourself, or you have to send it someplace that will do it.

We found a place here in Virginia that would do it. He was a great guy, but they

were doing tractor-trailer loads of bacon at a time. We were only doing small 500-pound batches. So, the cost was \$1.00/pound to cure, \$1.00/pound to package, equaling \$2.00/pound to cure. The point is that what we could have done here on the farm for \$0.50, we were paying almost \$5.00/pound to get done, not counting all the transportation and carbon miles to get it done.

Then that cost gets transferred directly to the consumer. So instead of selling bacon for \$5.00 or \$6.00/pound, we are selling bacon for \$10.00 or \$12.00/pound. So when people say, “This local food is so expensive,” what we’ve learned is that most of the expense has nothing to do with actual production expense; it’s this processing expense that makes it so difficult that it is discriminatory to have a legal product.

Right now, we are selling wonderful pork and beef meat sticks, but we can’t do them here at the farm. We’ve made deer jerky here ‘forever’ for our own consumption, but we can’t do this under inspection here at the farm. So, we have to pallet the boneless product, send it to Missouri to a processing outfit, and then truck it back in order to sell it here in our store.

An animal that we raised here on the farm, we can’t legally process it and turn it into sausage and a meat stick. Instead, it has to be loaded on a trailer, taken to a facility, and then processed there. Then it’s put on a pallet, sent 800 miles away to Missouri, and then trucked back in order for us to sell a meat stick from a pig that we raised out here in the back pasture.

Kennedy: You mentioned HACCP before. If my understanding is right, for a lot of these different value-added products, you need a separate HACCP plan for each product. You need one for jerky, and you need one for sausage, etc.

Speaking to one farmer, he said, “When you pay for it, that might be \$5,000 or \$6,000 a HACCP plan.”

Salatin: That’s right; each one is label-specific. If you change an ingredient, if you have A, B, and C options, or ‘hot’ and ‘moderate’ beef sticks, those are two different HACCP plans. All that adds a tremendous amount of overhead to the product. It makes the local food system appear to be inordinately expensive when it’s not. The ‘lion’s share’ of the expense of the difference in cost is simply

these paperwork and regulatory overheads.

Kennedy: Even the labeling laws can drive you ‘crazy’. It seems like the USDA labeling laws are more complicated than the other food laws. Maybe you could go into that a bit.

Salatin: Certainly. We have had products at this processing facility to make our meat snack sticks there for about eight months. We’ve been using this facility for years, and we had this product. It was going along as smoothly as it could.

Suddenly last October, the inspector in the plant said, “I don’t like this label.” Just like that, he said, “This label does not comply.”

So, we had pallets of product there waiting to be turned into these snack sticks, and we couldn’t get them made because he didn’t like the label. The label had been approved for two years. We had been ‘rocking along’ just fine. Suddenly, he came in one day and said, “No, this label doesn’t comply anymore.”

It’s totally subjective. So here we are; we have product, we have bills to pay, we have customers who want the product, and it’s sitting there unable to be utilized because of some sort of a glitch in font style and position place on the label.

Have you ever seen a cat play with a mouse? It’s almost demonic before the cat eats the mouse. It’s just toying with it and batting it around. That’s the way we feel sometimes; we feel like the mouse. They get their paycheck. They don’t have to pay suppliers and vendors and all of this. Here we are trying to pay our bills and stay in business and make our payroll, and they have no interest or desire to work with us. They have no soul and no heart. It’s a terrible system.

Kennedy: One of the calls I remember the most was a one-time caller from New Jersey who owned a USDA processing plant, which was also a slaughterhouse. He had it out with his inspector. I could hear him shaking over the phone. He was so upset. He was worried that if he went to a lawyer, then the inspector would take it out on him and be even tougher on him. He didn’t know what to do, and I never heard back from him.

Salatin: It's very much extortion. You are exactly right. What happens if you push back, if you don't bow to the inspector, or if you push back at all. If they have a bit of an attitude, they have a 'mountain' of regulations that they can decide to enforce.

I've heard it said that all of us do something illegal at least a couple of times a day if somebody really wanted to cause you trouble. There is a huge stack of regulations. If they want to cause you trouble, they can. So then they push back, and they can cause you a lot of trouble.

It's an extortion relationship; it's not a collaborative relationship at all. Here we have our capital on the line, our employees on the line, our customers on the line, and all of this in private equity, and these inspectors hold complete control over whether we stay in business or not, or what we do for the day. They have no cost in harassing or causing problems. There is no cost to them; they still get their paycheck and their retirement plan and 401(k).

It's an extremely one-sided arrangement.

Kennedy: My definition of a good regulator is someone who tries to help the producer out as much as possible while still protecting the public health. From what I've heard from people who have worked at USDA, they said that after this 'Jack-in-the-Box' episode in Washington state that killed a few children with undercooked burgers, that is when they went to HACCP and when they took this stance of, "Here's your problem. You figure it out. It's not our responsibility. You have to figure out what to do."

Especially with HACCP, HACCP has put hundreds of these facilities out where it's the same thing. The inspector says, "Your plan is off."

The producer asks, "What do I do?"

Their response is, "You figure it out."

Salatin: They have sample HACCP plans up on their website, and you can look at these templates for HACCP plans, but not a single one of them ever gets approved. So even their own templates are part of this 'cat and mouse' game.

Why don't they put a template up there where if you copy it, "We will adopt this procedure"? Why don't they have a template that you could copy, adopt that procedure, and they would stamp it 'Approved'. Why is that so difficult?

They put it up there, and it's like a power trip; they have to find something. If they don't find something, they're not doing their job. They have to justify their paycheck.

I'm back to the 'cat and mouse' analogy because I think it's so apropos.

Kennedy: One of the interesting things was that the Farm and Ranch Freedom Alliance filed a FOIA request last year, asking about the custom houses. They said, "Tell me any foodborne illnesses from the custom houses."

They went back eight years, and found nothing. The USDA reported that there wasn't a single illness here.

One former USDA official said, "These regulations can be used as a management tool to basically control the number of slaughterhouses."

Salatin: Do you remember that downer cow that was slaughtered in California? They shut down the plant there because there was somebody taking a video of it undercover? This was about ten or 12 years ago. Congress convened a hearing on this whole thing. Basically, they said, "How can we fix the meat supply?"

At that time, I had a customer who was somewhat of a legislative aid for one of the congressmen on committee. They asked me to testify. I was one of about twelve people who testified that day.

The first one who 'hogged' most of the time was the administrator of the Food Safety Inspection Service (FSIS). I don't know if they called him the secretary or commissioner or administrator.

Kennedy: They call him the administrator.

Salatin: He was the head of FSIS, and took up the first three hours. I'll never forget when he was giving his remarks how he explained how much more efficient the FSIS was now compared to 40 years ago since it had been able to, "Eliminate so many inefficient, small community plants, and now the average inspector in the program sees 100,000 pounds of meat a day. Look at how much more efficient we are because 40 years ago with these small plants operating, the average inspector only saw 50,000 pounds of meat a day."

It was 'chest-pounding', and, "Wow, aren't we fantastic! Now the average inspector sees twice as much meat as he did 40 years ago, and we have become very, very efficient."

It was one of the most profoundly horrible things that I've ever heard. I realized that the entire theme and the entire objective of the Food Safety Inspection Service is to create efficiency, and not safety.

Kennedy: Right, and here is what you are looking at: You were talking about how they can 'ding' you for almost anything when they come into your plant. So, they just write these non-compliance (NR) reports. If you want to appeal those reports, you have to go to the field supervisor. He usually has to back up his inspector. Then you go one 'rung' above him, and one 'rung' above him.

They have an administrative court, which is probably four to six rungs above that with a judge who is independent, and then beyond that, you can go to judicial court. But if you don't challenge these and something more serious happens, they will take all of these NR's and hold it against you when they make the decision whether to revoke your grade of inspection or something like that.

Salatin: That's right. There is literally no redress in the system for grievances or for disagreements; there is no redress in the system.

If you become a problem player, they can take it out on you.

Kennedy: You could be a problem if your slaughterhouse happens to be out of the way, out of the inspector's normal route. It may be an inconvenience for him. He's going to start looking more closely at your place if that is the case.

Salatin: One of my friends who has a very small facility here in Virginia jumped through all of the hoops, and was inspected. He is very, very small, so he got his license and his compliance, and is up and running. They closed him down the first week because they said that he was too slow, and he wasn't doing enough animals.

Well, that's not in the regulations. The regulations don't say, "You have to do x number of animals a day." They just say, "If you get your paperwork in order and your facility in order, you pass."

So, they gave him his 'grant of inspection', he was up and running, and they closed him down because he was too slow. So then what does he do? Who do you appeal to? Who do you file a grievance with?

People think that the mafia is bad. This is a counterpart to the mafia. It's extortion.

Kennedy: I've told you that I've been going to a Food Safety conference for the last few years, although the last two years it's been virtual.

One of the big sponsors in the Food Safety conference is Merck pharmaceuticals because of all the antibiotics they sell to the CAFO outfits. Cargill is another big conference. So they are rubbing elbows.

You don't see a Joel Salatin at these events representing the small farmer. They like the nonscaleable regulations where the big outfits can comply and the small ones can't. It makes everyone's job easier.

Salatin: That's right. You alluded to the fact that even a plant that is 'off the beaten path' or out of the way is faced with this, too. It was very clear during all of those hearings that they do not want a number of small plants all over the country; they want more consolidation. The larger, the more streamlined and centralized it is, the happier they will be.

That is completely opposite of what anybody who wants diversity, choice, and regional food security is about. All of the noble, sacred goals that make sense from a food security and safety standpoint, the FSIS opposes. That's how far

out this is.

Kennedy: Maybe you could talk about what happens to meat quality when you have to go three hours to a USDA facility as opposed to going 20 minutes across town to a local abattoir.

Salatin: The chances of everything from spoilage to contamination to whatever changes dramatically. The larger the warehouse, the longer the transportation, not to mention stress on the animals that have to ride in a trailer.

I was recently out to Medford, Oregon. I did a farm consult, and those people are going three and a half hours one way to a slaughterhouse. Think about this: They are going three and a half hours one way, and they're small. They're just getting started. So, they're only doing ten animals a year.

So here they are. They can only take five at a time in their little trailer. They go three and a half hours there, and three and a half hours back. Then in 10-12 days after it's cut up, they have to go back three and a half hours, and then three and a half hours home. They have to keep it cold, and they do all of this for five animals. So, it's 14 hours of trucking just to get back two or three animals. The economics of it doesn't add up.

Kennedy: It doesn't pencil out.

Salatin: So, then the little farmer who is trying to get a toehold in a marketplace has to add another \$300 to \$400 per animal, and now suddenly, he's up at triple market prices, and it's hard to sell. People who need it most definitely aren't going to buy it. This is the sad reality that this creates within the marketplace.

I can't help but mention that in all the other hazardous substance arenas in America – the things that we have outlawed because they are hazardous or unsafe – the prohibition is equally on buyer and seller. It's not okay for me to say, "Somebody gave me this cocaine; I didn't buy it."

I didn't want to get into an argument about drug wars, but the point is that on these other things – from prescription drugs to illicit drugs to whatever – the

prohibition is on both buyer and seller. You can't buy it, you can't sell it, and you can't even use it if you have it. But in food, the prohibition is only on the seller. You can buy it, you can use it, you can give it away, and you can do everything except sell it.

So if it really was a danger, and if it really was unsafe, you would think that there would be a prohibition like everything that is shared among all the parties to the transaction. But in food, it's only on the seller; it's not on the buyer or the user. So is this really about food safety, or is it really about controlling the marketplace?

Kennedy: Right. You can't get arrested for possession, just distribution. This is not like a drug.

You can make the same argument with raw milk. I think, more than anything, the two things that have emptied the countryside the last 50-60 years and decreased the number of small farms has been the mandatory pasteurization laws and the Wholesome Meat Act.

Salatin: What many people don't know is that we always milked a couple of Guernsey cows growing up. When I was in high school, I wanted to go back to the farm full-time, and I was trying to figure out a way to get there.

My mom was a schoolteacher, and my dad was an accountant, and the farm was a great place to grow up. We did many great things, but it wasn't generating a salary. So I was thinking, as an eighteen-year-old who had four years of making yogurt and cottage cheese and butter and buttermilk 'under my belt', and I saw the value of these cows. This was cash flow because people wanted this product.

I realized at 18, "I could hand milk ten Guernsey cows and sell the milk at retail prices – not 'jacked up' because it's organic and not 'jacked up' because it's grass-finished or anything, just at retail prices. I could sell that milk to my neighbors and friends, and I could make a nice living right here on the farm hand-milking ten cows."

Hand-milking ten cows is a bit of a chore, but plenty of people have done it. It's not insurmountable, and I could make a nice living doing that. There was only

one problem: It was illegal.

I have never gotten over the fact that these regulations kept me off the farm and kept me from being able to pursue this dream for several years until the poultry exemption-the P.L. 90-492 poultry exemption-enabled us to start in with the chickens. That was a real ticket to be able to farm full-time.

Kennedy: The irony is that you were talking about the Stanton Curb Market and how you couldn't sell fluid milk, but you could sell the other value-added products. In many of these states where you can sell fluid, raw milk, and other than aged cheese, you can sell the value-added products. So it's not safety; it's what we've been talking about this whole audiocast. Value-added is where the money is, and the industry doesn't want the small farmer to have it. That is the only reason.

There is litigation going on now over attempts to challenge the interstate ban on raw butter, and the FDA couldn't come up with a single case specifically saying that commercially produced raw butter has made someone sick. They've made these general allegations where you didn't know – it could have been, or it could not have been – but nothing specific.

Let's get to the present. COVID has really exposed more than ever the problem with our current slaughter and meat processing regulations. What do you see out there?

I've talked to people who say that, in their particular area, there might be a two-year wait between the time you book a slaughterhouse slot and the time you can actually take your animal there. What are you seeing nationally right now?

Salatin: Nationally, there is a tsunami of local food interests and food security concerns. When those supermarket shelves went bare last year, suddenly, the 'emperor had no clothes'. People realized, "Wow! This supposedly 'efficient' industrial food chain actually has some fragilities in it. With any disruption, instead of having shock resistance, it has shock acceleration in the system."

So people all over the country, if they have three or four acres that they could grow a steer on, they were buying a calf. They thought, "I might as well grow

my own.”

People began converting from the big, industrial food chains to the local farmers like us. This created this huge ‘hiccup’ because we may have lost as many as 80,000 neighborhood slaughter capacity outfits in the last 60 years. So we’ve lost that capacity. Suddenly, there is a surge of need in that space, but you can’t just put in a table and a front-end loader and a tripod out there and butcher animals anymore. Now, you have to be rezoned and licensed and have all of this infrastructure. So, the ability to get in is now far more complicated, difficult, and expensive than the ability to get in 60 years ago.

The response to this surge of need is a backlog in the existing plants, which there are not enough of. So these plants have their schedule, and they can only do so many a week, and so they let you make appointments for your animals through the year.

Ours, like so many, is booked out through 2022. We have people booked for animals that haven’t even been born yet. It’s crazy!

Kennedy: How can you business plan accurately when you’re working in a system like that?

Salatin: You absolutely can’t. So, what we desperately need – and obviously the greatest thing – would be some concessions by the government that would be similar to the poultry exemption for P.L. 90-492, which allows us a certain number of birds, realizing that if you are only going to do these birds and they only go to end-users, there is a very, very low-risk factor because it’s a direct sale; it’s an end-user, and it’s a low number. Why couldn’t we extend that to other species like beef, milk, pork, and other things?

The beautiful thing is that the poultry exemption-the P.L. 90-492-has a wonderful track record. To my knowledge, nobody has gotten sick from chickens processed under this exemption. So, it has a wonderful track record that says, “Let’s see what an equivalent number of beef or pork would be.” That would be one concession.

Don’t hold your breath, I don’t imagine that will happen.

Kennedy: That was actually in the original Wholesome Meat Act, where there was a certain amount, and I forget what it was. You could sell those across state lines at that time, too. But two years after that, they added an amendment that went to the custom-inspected system that we have today.

I think that you can say this about raw milk: You know the sign of a bad law is when you have a law that otherwise law-abiding citizens violate with regularity. It's like how people are always going across state lines, even with the ban.

There have always been people who have slaughtered on the farm and sold a little meat here and there, but if Congress doesn't wake up to what is happening right now, more and more farmers are being forced into a position of: Do I break the law, or do I go out of business with this slaughterhouse backlog?

Salatin: Where we are now is that it's a bad law when circumvention is more efficient than compliance. That's another way to tell. You try and try to comply, but at some point when the compliance becomes too burdensome, then you start putting all of your attention on: How do we circumvent?

I can tell you right now that there are thousands of bootleg processing animals going on around the country.

Kennedy: There is one exemption that gives people a little leeway, which is the personal use exemption where you are allowed to slaughter on the farm without regulations. You can have a group of people buying ownership interest in an animal that the farmer raised, and they can slaughter that animal on the farm. You need someone in that ownership group who knows what they are doing and knows how to break down a carcass. That is where the way the USDA interprets the law, it is legal right now.

I would like to see more of that. The USDA needs to recognize what is going on.

A former employee of the USDA told me that you could hold a meat-cutting class or a meat processing class, and have two sales. One is to buy the ticket – the educational piece- and the other is to sell a portion of a live animal. This

person was in policy at one time, and he said they did not look at that as being out of compliance. Those are the kinds of things that you need on their part.

The other big piece we've both supported for a number of years now is the PRIME Act. Could you explain that and how that would help your business?

Salatin: There is roughly a 30% processing cost differential between inspected and custom product because of the headache of all the regulations and things. So, that 30% difference is huge on an animal.

The PRIME Act would allow custom slaughtered animals to be sold postmortem by the piece within a state. So, it would give a state that wants to open this up to postmortem sale the right to do so. Suddenly, all of these custom houses, many of which have closed recently, are looking into reopening.

Congressman Thomas Massie, who has been championing this, has been contacted by up to 1,000 defunct custom houses that have gone out of business in the last ten years, that if the PRIME Act passed, they are ready to go back into business again.

So, think about the capacity that would bring to the system if, suddenly, all those people could go back into business so that small farmers like us could save 30% on their processing costs. You could provide access to people for a T-bone steak or a pound of ground beef who couldn't afford a whole animal or a quarter of an animal and want to get smaller pieces. It might be one of the most egalitarian meat local food opportunity ideas that have been offered.

Kennedy: He has about 40 sponsors.

Salatin: He has some real sign-on, and it was a sign-on tsunami when the store shelves started going empty last year. Who opposes this? The only people who oppose this are licensed slaughterhouses that don't want the competition and the big industrial food complexes.

This would be a godsend to farmers and local food systems.

Kennedy: There are several bills in Congress now that would allow the

interstate sale of state-inspected meat, but that doesn't get it done; that's not going to close the problem. All of these custom owners that you talked about who are out of business are out of business because they didn't want to deal with an inspector on a day-to-day basis. It's not going to change anything.

We're also seeing more general attacks on meat right now, which isn't helping. You see all these talking heads from the UN. I've heard some of these people say, "We need to cut back meat consumption by up to 90%."

The overwhelming majority of people would reject that, but the fact is that these people have money and influence. So, what do you think is behind these recent stepped-up attacks on meat? They seem to target beef especially.

In the context of a climate change argument, that doesn't make any sense because it's the CAFOs (concentrated animal feeding operation) with the pork and the poultry, if there is anything to climate change in the first place, which I don't think there is. Why do you think they are especially attacking beef?

Salatin: I think the reason is that the industrial system is so dysfunctional that beef gives the easiest data points. Let's admit that worldwide overgrazing is a big problem.

I was on a farm in Medford, Oregon. The farm that I was consulting on was a brand-new farm, so I don't blame them, but their land was not being well cared for. They butted up against the Bureau of Land Management land, and at the fence line, the BLM land was so horrendous. Anyone taking a picture of that would say, "We need to get rid of the cows."

But the problem here is not the cow's problem; it's the manager's problem. It's the way they are being managed – whether it's overgrazing, whether it's feedlot grain consumption, or whatever.

So, because herbivores and confined dairy take such a large portion of the overgrazing and the grain bill, they are the natural target of this anti-meat, which is really anti-livestock. I don't defend meat categorically; I only defend good farmers and culture communities, of course. The main agricultural community, the Farm Bureau and such, vilify me. They say, "We're all farmers. All for one

and one for all. We're all in this together.”

I say, “No. I'm not in this together with a Tyson chicken house. We're on different planets. I'm not going to pretend that he's a farmer like I'm a farmer; I'm not.”

The problem with the data points that the anti-livestock crusade or cult uses is the CAFO data points, which are very dysfunctional. If you use dysfunctional data points, you are going to end up with a dysfunctional proposition. They're not coming and measuring organic matter on our farm; they're not measuring pollinators on our farm; they're not measuring methane.

Pasture-based, good, productive pasture has methanotrophic bacteria that can metabolize the methane from 1,000 cows per acre. Well, nobody is ever going to put 1,000 cows on an acre. So, the point is that nature has these wonderful recycling capabilities. There is no landfill in nature; nature has a wonderful, cyclical loop of where there is no waste. It's the same with beef and everything else.

The problems come when we adulterate or mismanage or dysfunctionalize the natural cycles from the way that they are supposed to be. Herbivores are supposed to move; they are supposed to be on new forage all the time. They are supposed to not come back until the foraged area grows. There are all of these wonderful, natural templates, and principles for the proper abundant, flourishing, and positive ecological benefits of herbivores.

What we need to do is use those patterns and those templates, and suddenly, all of that negativity goes away, and it's positive.

Kennedy: Another thing that we need to do is to figure out a way to get back to the Stanton Curb Market, just from a regulatory perspective.

You, along with John Moody, were the cofounders of the Rogue Food Conference. One description that I heard of was that each Rogue Food Conference is like a Constitutional Convention for food rights. You've talked over the years about the Food Emancipation Proclamation. You've also made a common-sense point, which I think has more than borne out. If you look at our

food regulation system from the founding of the country until the 20th century, the Founding Fathers never even considered putting anything about food in the Bill of Rights because it was completely unregulated commerce back then.

You see more states passing these laws deregulating or completely unregulating food. What is your hope for the future in this area?

Salatin: I think it will be a combination of many things. I think that the personal use exemption has ‘legs’. If Massie could get the PRIME Act voted on, that would give an opportunity.

I think that the buying club and food church – the nonpublic interface where it’s not actually a real sale – and anything like that is possible. I think that there will be a lot of creativity in this space to make ‘end runs’ around the system because we are desperate. Our eaters are desperate to get this, we farmers are desperate to get it to them, and I think that the intransigence of a bureaucracy is quite endemic in the system. I don’t look for relief from the bureaucracy.

Like all great innovative cultural movements, it will be up to the little producers and the peasants to pick up our pitchforks and start creating an alternative universe. As we do that, we will be in better shape.

I would love to see a Food Emancipation Proclamation where every citizen has the right to purchase the food of their choice from the source of their choice voluntarily. Right now, the problem is that when the bureaucrats say, “I can’t sell raw milk to my neighbor,” my neighbor has no legal standing to sue the bureaucrat and say, “Look, I have a right to this milk. I’m going to buy it,” as they do for gun rights or speech rights or worship rights.

If we had that in food rights, then there would be a legal standing for a person to say, “No, I’m exercising my rights. I’m going to buy this.”

It would change the ‘scales’ a little to offer some opportunity, but I think that this is a long running battle, and I think that on our side, we need to tell our story with the positives. The theme needs to be the opportunities and positives of choice, local food options, and vibrant and flourishing local food spaces. That needs to be our theme.

Yes, we complain about the bureaucracy, we complain about the regulations, but at the end of the day, a positive message of, “What if we could do business as neighbors? What if we could actually process food within the community?”

I think those kinds of messages have ‘legs’. It’s easy for me to get down and depressed about these frustrating regulations, but you have to shock yourself every once in a while and say, “Get out of that ‘funk’, and present a positive message to people that we could actually have a system, and we could actually have different opportunities. You could have different food in your cupboard that you could afford.”

Those are the positive messages that we need to plant in people’s minds because it’s so hard to explain to people what they don’t have. It’s hard to make attractive something that people don’t even know they’ve lost.

Kennedy: I think there is a real opportunity here because you are seeing a breakdown in the conventional system. The supply chains are more insecure than they were a year ago. I think that the quality continues to deteriorate.

The one thing that the conventional food system always tried to ‘lord over’ the local food system was food safety. “It’s safer food, and we are going to regulate it,” but when you look at these states that have passed the completely unregulated sales of most food, they are not having any food safety problems. You continue to see problems in the conventional system. There have been several major foodborne illness outbreaks blamed on the consumption of conventionally-produced beef the last few years, and you don’t get that in the local system.

So, in addition to all of these other arguments – more food security and keeping more of the food dollar in the local economy – I think that local food has the food safety argument now.

Salatin: Absolutely. The argument from a food safety standpoint is that we are not hiding behind the ‘skirts’ of a bureaucrat. That doesn’t provide us cover, and we don’t have a bank of Philadelphia lawyers to protect us from angry customers. We’re out here so that personal responsibility in the marketplace

that, “I’m representing this to my customer, and I’m responsible for the quality that that customer gets. There are no lawyers in between us. There are no bureaucrats in between us. It’s just you and me, baby, and I’m willing to take that responsibility.” That creates a safer chain of custody in the system than what we have right now.

Kennedy: Right. You have these personal injury foodborne illness lawyers. If anyone makes a mistake, if Tyson makes a mistake and people get sick, that is the cost of doing business, and they are not going out of business. But with the small producers, they can’t afford one illness.

‘Knock on wood’, so far so good with the deregulation.

Joel, this has been great. Is there any information that you want to give the listeners and readers about Polyface Farm? I didn’t mention that you are the editor of *The Stockman Grass Farmer*. You also have the Rogue Food Conference. You ‘have the floor’ on what you would like to put out there for the listeners and readers.

Salatin: I can’t say enough about our appreciation and indebtedness to you, Pete, and what you’ve done. People are certainly welcome to get on our website. They can see that we are having these gatherings at the farm. Some are educational, some are informational, but people want to get together; they want to be encouraged. They want to learn and have good fellowship – and great food. So, we are offering our farm as a platform for outfits and organizations that want to get together.

I have a new book coming out the end of this month, *Polyface Micro*. It takes everything that we have done at scale and miniaturizes it to a small homestead scale. I’m really excited about that because I think this homestead movement is a tsunami right now, and we need to encourage and support it.

I appreciate everybody’s loyalty and faithfulness in being interested in this topic. You won’t see it on the mainstream news media – that’s for sure. But it is, nonetheless, culturally and ‘civilizationally’ huge as we move forward.

Thank you, Pete, for creating this platform and making it possible for people to

get informed about this aspect of the food system.

Kennedy: I think people owe you a huge debt of thanks. You talked earlier about some of these smaller plants, and I don't blame any of these plants that support the PRIME Act, but you have always been someone who has been for deregulation. Even though, from a competitive standpoint, through your successes over the years you've gotten big enough now where it might be more to your favor to keep the regulatory system the way it is. Why do you continue to favor deregulation?

Salatin: Because everybody needs a place to start; everybody needs a starting place.

We started very small, and we are still rather small compared to the industrial food system. In the local food space, we have a little traction now. But all great ideas and innovations start embryonically; they need to start small.

If we don't preserve access for small embryonic, entrepreneurial innovation in the food space, we're not going to have options. We aren't going to maintain options in the future. So, my heart is still very much with liberty, freedom, and choice in the marketplace, and volunteerism and letting people interact contractually and commercially however they want to interact without a bureaucrat getting in between that 'marriage'.

In my perfect world, maybe we wouldn't have an inspected plant; maybe we would go completely neighbor-to-neighbor, friend-to-friend, person-to-person and be transparent. That's the way it would be.

Kennedy: I think the way the system is now, we need to go back to the way it was pre-1967.

One last plug for you: Anyone who wants to get an idea of what the small farmer has to go through regulation-wise, and all the different 'alphabet soup' agencies they come up against, I highly recommend, *Everything I Want To Do Is Illegal*. That is a book that Joel wrote 14 or 15 years ago, which has stood the test of time. Sometimes I wish it didn't, but it has.

Thank you, Joel. It was great having you on the audiocast. I really appreciate it.

Salatin: Thank you, Pete.

MODIFICATION

Transcripts are not always verbatim. Modifications are sometimes made to improve clarity, usefulness and readability, while staying true to the original intent.

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