

By KSPR News

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Springfield, Mo. –Attorney General Chris Koster has filed a lawsuit against a Laclede County couple for violating a Missouri law that prohibits the distribution and sale of raw milk unless a person [purchases](#) or requests delivery of raw milk or cream directly from a farm.

Koster said Armand and Teddi Bechard, d/b/a/ Bechard Family Farm, sold raw milk in the [parking](#) lot in Springfield to two undercover investigators with the Springfield-Greene County Health Department.

Koster said the Food and Drug Administration, as well as other federal and state health agencies, have long warned of the risks to human health associated with ingesting raw milk. He said FDA and state health agency studies have established a direct cause-effect link between gastrointestinal disease, including e-coli contamination, and the consumption of raw milk.

“Because of the known health risks involved in drinking raw milk, Missouri lawmakers saw fit to require that milk sold from distribution points – such as grocery stores, convenience marts, or farmers’ markets – be pasteurized,” Koster said. “The law does not prohibit Mr. and Mrs. Bechard from [selling](#) raw milk, but it does prohibit them from selling it from a parking lot.”

Koster filed the lawsuit after the Bechards refused to sign a consent judgment requiring them to abide by the raw milk statute. He is asking the court to issue a preliminary and permanent injunction prohibiting Mr. and Mrs. Bechard from selling raw milk or raw milk products in violation of the law and to require them to pay the cost of the lawsuit.

Local raw milk dairy farmer Eric Vimont says he feels the state is wasting time and money with the lawsuit. Vimont says he was contacted in 2007 by the Missouri State Milk board with a similar letter. "I thought he we go again they are persecuting people," Vimont says of the Bechard lawsuit. "The law doesn't specify where the raw milk has to be purchased it or where you have it delivered. They're saying you can't sell it at a farmer's market or at a remote location."

Springfield-Greene County Health Department Environmental Health Administrator Karen Prescott says a 1973 opinion from the Missouri Attorney General's office concluded the law prohibits a dairy farmer from selling raw milk to the general public from a distribution center set up by the farmer away from their farm premises. Prescott says the law is in place to protect buyers. She says it's best a raw milk buyer can view the farm conditions themselves. "The customers might not understand that an inspector has never set foot on the farm to check it out as far as construction, the well water hasn't been tested, and the cows haven't been tested. It's buyer beware."

Here is Missouri Revised Statute 196.935: No person shall sell, offer for sale, expose for sale, transport, or deliver any graded fluid milk or graded fluid milk products in this state unless the milk or milk products are graded and produced, transported, processed, manufactured, distributed, labeled and sold under state milk inspection and the same has also been produced or pasteurized as required by a regulation authorized by section 196.939 and under proper permits issued thereunder. Only pasteurized graded fluid milk and fluid milk products as defined in subdivision (3) of section 196.931 shall be sold to the final consumer, or to restaurants, soda fountains, [grocery stores](#), or similar establishments; except an individual may purchase and have delivered to him for his own use raw milk or cream from a farm.