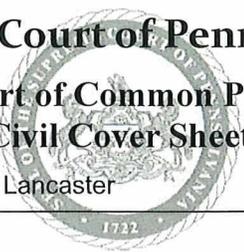


Supreme Court of Pennsylvania

Court of Common Pleas Civil Cover Sheet

Lancaster

County



For Prothonotary Use Only:

Docket No:

TIME STAMP

The information collected on this form is used solely for court administration purposes. This form does not supplement or replace the filing and service of pleadings or other papers as required by law or rules of court.

SECTION A

Commencement of Action:

- Complaint
 Writ of Summons
 Petition
 Transfer from Another Jurisdiction
 Declaration of Taking

Lead Plaintiff's Name:
Commonwealth of PA, Department of Agriculture

Lead Defendant's Name:
Amos Miller

Are money damages requested? Yes No

Dollar Amount Requested: within arbitration limits
 outside arbitration limits
 (check one)

Is this a *Class Action Suit*? Yes No

Is this an *MDJ Appeal*? Yes No

Name of Plaintiff/Appellant's Attorney: Heather Z. Kelly

Check here if you have no attorney (are a Self-Represented [Pro Se] Litigant)

SECTION B

Nature of the Case: Place an "X" to the left of the **ONE** case category that most accurately describes your **PRIMARY CASE**. If you are making more than one type of claim, check the one that you consider most important.

TORT (do not include Mass Tort)

- Intentional
 Malicious Prosecution
 Motor Vehicle
 Nuisance
 Premises Liability
 Product Liability (does not include mass tort)
 Slander/Libel/ Defamation
 Other: _____

CONTRACT (do not include Judgments)

- Buyer Plaintiff
 Debt Collection: Credit Card
 Debt Collection: Other _____

 Employment Dispute: Discrimination
 Employment Dispute: Other _____

 Other: _____

CIVIL APPEALS

- Administrative Agencies
 Board of Assessment
 Board of Elections
 Dept. of Transportation
 Statutory Appeal: Other _____

 Zoning Board
 Other: _____

MASS TORT

- Asbestos
 Tobacco
 Toxic Tort - DES
 Toxic Tort - Implant
 Toxic Waste
 Other: _____

REAL PROPERTY

- Ejectment
 Eminent Domain/Condemnation
 Ground Rent
 Landlord/Tenant Dispute
 Mortgage Foreclosure: Residential
 Mortgage Foreclosure: Commercial
 Partition
 Quiet Title
 Other: _____

MISCELLANEOUS

- Common Law/Statutory Arbitration
 Declaratory Judgment
 Mandamus
 Non-Domestic Relations
 Restraining Order
 Quo Warranto
 Replevin
 Other: Food Safety Laws _____

PROFESSIONAL LIABILITY

- Dental
 Legal
 Medical
 Other Professional: _____

IN THE COURT OF COMMON PLEAS OF LANCASTER COUNTY, PENNSYLVANIA
**PROTHONOTARY
CIVIL COVER SHEET**

PLEASE LIST NAMES AND ADDRESSES OF ADDITIONAL PARTIES ON A SEPARATE SHEET.

ALL PARTY INFORMATION IS REQUIRED INCLUDING ZIP CODES. ALL PARTY INFORMATION MUST MATCH THE PLEADING. PLEASE DO NOT STAPLE THE COVER SHEET TO THE PLEADING. IF AN EVENT NEEDS TO BE SCHEDULED, A CAO SCHEDULING COVER SHEET MUST ALSO BE ATTACHED.

For Prothonotary Use Only:

DOCKET No: CI -

TYPE OF ACTION: Civil Action - Equity

PARTY INFORMATION

PLAINTIFF'S NAME: Pennsylvania Department of Agriculture

DEFENDANT'S NAME: Amos Miller

ADDRESS: 2301 North Cameron Street
If confidential, use 2nd sheet Harrisburg, Pennsylvania 17110

ADDRESS: 648 Millcreek School Road
Bird-in-Hand, Pennsylvania 17505

MUNICIPALITY: Harrisburg

MUNICIPALITY: Bird-in-Hand

TWP/BOROUGH: City of Harrisburg

TWP/BOROUGH: East Lampeter Township

DOB: _____ TELEPHONE #: _____
(mm/dd/yyyy) (#####)

DOB: 10/16/1977 TELEPHONE #: (717) 556-0672
(mm/dd/yyyy) (#####)

FILING ATTORNEY / FILING PARTY INFORMATION

FIRM/OFFICE: Pennsylvania Office of Attorney General

FILING ATTORNEY/PARTY: Heather Z. Kelly

AOPC: (Attorney ID) #: 86291

ADDRESS: 15th Floor, Strawberry Square

CITY: Harrisburg

STATE: PA

ZIP CODE: 17120

TELEPHONE #: (717) 678-4613

EMAIL: hkelly@attorneygeneral.gov

(#####)

TAX LIEN INFORMATION

MUNICIPALITY: _____

MAP REFERENCE: _____

DEED BOOK: _____

DEED PAGE: _____

DEED DATE: _____

SALE PRICE: _____

TAX YEAR: _____

TAX LIEN AMOUNT: _____

PROPERTY DESCRIPTION: _____

PFA/SVPO/PFI INFORMATION

HEARING DATE: _____

SOCIAL SECURITY #: (Defendant – Last 4 digits) _____

POLICE DEPARTMENT: _____

PREVIOUS PETITIONS: YES

NO

If 'YES', File Date: _____

Additional Plaintiff

Commonwealth of Pennsylvania
Office of Attorney General
15th Floor, Strawberry Square
Harrisburg, Dauphin County, Pennsylvania 17120

Additional Defendants

Rebecca R. Miller

648 Millcreek School Road
Bird-in-Hand, Lancaster County, Pennsylvania 17505
DOB: 9/12/1978 Phone: 7175560672

Mill Creek Buffalo

648 Millcreek School Road
Bird-in-Hand, Lancaster County, Pennsylvania 17505

Bird-in-Hand Meats

648 Millcreek School Road
Bird-in-Hand, Lancaster County, Pennsylvania 17505

Miller's Organic Farm

648 Millcreek School Road
Bird-in-Hand, Lancaster County, Pennsylvania 17505

Miller Camel Farm LLC

648 Millcreek School Road
Bird-in-Hand, Lancaster County, Pennsylvania 17505

Miller Organic Farm LLC

648 Millcreek School Road
Bird-in-Hand, Lancaster County, Pennsylvania 17505

A-B Farm

648 Millcreek School Road
Bird-in-Hand, Lancaster County, Pennsylvania 17505

A-B Farm, LLC

648 Millcreek School Road
Bird-in-Hand, Lancaster County, Pennsylvania 17505

Bird-in-Hand Grass Fed Meats, LLC

672 Millcreek School Road
Bird-in-Hand, Lancaster County, Pennsylvania 17505

COMPLAINT

AND NOW come Plaintiffs, the Commonwealth of Pennsylvania, Office of Attorney General and the Commonwealth of Pennsylvania, Department of Agriculture (the “Department,” and collectively with the Office of Attorney General, the “Commonwealth” or “Plaintiffs”), and bring this action to permanently enjoin and restrain Defendants Amos Miller and Rebecca Miller, husband and wife d/b/a Mill Creek Buffalo and Bird-in-Hand Meats; Miller’s Organic Farm (an unincorporated association); Miller Camel Farm LLC; Miller Organic Farm LLC; A-B Farm (an unincorporated association); A-B Farm, LLC; and Bird-in-Hand Grass Fed Meats, LLC and (collectively, “Defendants”) from the following: (1) endangering public health and safety through conduct that violates the Pennsylvania Milk Sanitation Law, 31 P.S. §§645-660g (“Milk Sanitation Law”) and regulations related to the sale of raw milk, 7 Pa. Code §59a.401 *et seq.* (“Raw Milk Regulations”); the Pennsylvania Food Safety Act, 3 Pa. C.S.A. §§5721-5737 (“Food Safety Act”) and the Pennsylvania Retail Food Facility Safety Act, 3 Pa.C.S.A. §§5701-5714 (“Retail Food Facility Safety Act”); and (2) using unfair methods of competition or unfair and deceptive acts or practices in the conduct of trade or commerce declared unlawful by the Pennsylvania Unfair Trade Practices and Consumer Protection Law, 73 P.S. §201-1, *et seq.* (“UTPCPL”).

INTRODUCTION

1. Defendants Amos and Rebecca R. Miller, husband and wife, own, operate and do business through various legal entities and under various fictitious names.
2. Defendants’ operations involve the manufacture, processing, preparing, labeling, marketing, offering for sale and selling of a vast array of meat, poultry, produce, dairy products,

and processed foods; Defendants' sell these products both in Pennsylvania and throughout the United States.

3. A core part of Defendants' operations include the manufacture and sale of raw milk and raw dairy products, both in Pennsylvania and throughout the country.

4. Defendants operate in flagrant violation of Pennsylvania laws enacted for the purpose of protecting public health and safety as they relate to the manufacture and sale of food, milk and milk products, including raw milk and raw milk products.

5. For many years, the Department has made exhaustive efforts, including in conjunction with the United States Department of Agriculture, to assist Defendants in coming into compliance with Pennsylvania law.

6. The Department's efforts have been to no avail, and Defendants' continue operations unabated and unchanged.

7. As set forth more fully below, the Department executed an administrative search warrant at Miller's Organic Farm on January 4, 2024, following two confirmed cases of illness in underage consumers caused by the foodborne pathogen *Shiga toxin producing E.coli* and believed to be tied to Defendants' raw milk sales.

8. The January 4, 2024 search revealed an expansive operation that manufactures and sells a vast array of illegal food and dairy products throughout the United States, including raw milk and raw milk products that have since been tested and found to contain the *Listeria monocytogenes* bacteria, which poses a significant health risk.

9. The Commonwealth now seeks to permanently enjoin and restrain Defendants from further endangering public health and safety, as set forth below.

JURISDICTION & VENUE

10. This Court has subject matter jurisdiction over this action pursuant to 42 Pa. C.S. §931(a).

11. This Court has personal jurisdiction over the parties pursuant to 42 Pa.C.S.A. §5322(a)(1), (2), (5) and (10).

12. Venue is proper in Lancaster County pursuant to Pa. R.C.P. 1006(a)(1).

PARTIES

A. Plaintiffs

13. Plaintiff Pennsylvania Department of Agriculture (“Department”), by its Secretary Russell C. Redding (“Secretary”), administers and enforces the Milk Sanitation Law, the Raw Milk Regulations, the Food Safety Act, the Retail Food Facility Safety Act, and Pennsylvania’s Food Code regulations at 7 Pa. Code Ch. 46 (“PA Food Code”) (referred to collectively as the “Milk & Food Safety Laws”).

14. Plaintiff Pennsylvania Office of Attorney General (“OAG”) is permitted to bring this action on behalf of the Department and seek the relief requested herein pursuant to the Milk & Food Safety Laws. 31 P.S. §660f; 3 Pa.C.S.A. §5724; 3 Pa.C.S.A. §5714.

15. Plaintiff OAG is authorized to bring this action and seek the relief sought herein under the Unfair Trade Practices and UTPCPL. 73 P.S. §201-4.

B. Defendants

16. Defendant Amos Miller (“Mr. Miller”) is an individual who resides at 648 Millcreek School Road, Bird-in-Hand, Pennsylvania 17505.

17. Defendant Rebecca R. Miller is the spouse of Mr. Miller and also resides at 648 Millcreek School Road, Bird-in-Hand, Pennsylvania 17505 (collectively, with Mr. Miller, the

“Individual Defendants”).

18. Defendant Miller’s Organic Farm is an unincorporated association with an address registered with the Pennsylvania Department of State at 648 Millcreek School Road, Bird-in-Hand, Lancaster County, Pennsylvania.

19. Defendant Miller Organic Farm, LLC (collectively with Miller’s Organic Farm, “MOF”) is a Pennsylvania limited liability company with a registered address of 648 Millcreek School Road, Bird-in-Hand, Lancaster County, Pennsylvania.

20. Defendant Miller Camel Farm LLC (the “Camel Farm”) is a Pennsylvania limited liability company with a registered address of 648 Millcreek School Road, Bird-in-Hand, Lancaster County, Pennsylvania.

21. Defendants hold MOF out as a “private membership association.”

22. MOF is a buyer’s club, whose members do not share in profits or have voting rights in decisions about the farm’s business.

23. MOF has a decision-making “board” comprised only of the Individual Defendants.

24. MOF conditions membership on an individual signing a membership contract and paying a one-time fee.

25. Defendant A-B Farm is an unincorporated association with a registered address at 648 Millcreek School Road, Bird-in-Hand, Lancaster County Pennsylvania;

26. Defendant A-B Farm LLC is a limited liability company with a registered address at 648 Millcreek School Road, Bird-in-Hand, Lancaster County, Pennsylvania; and

27. Defendant Mill Creek Buffalo is a fictitious name with a registered address at 648 Millcreek School Road, Bird-in-Hand, Lancaster County, Pennsylvania.

28. Defendant Bird-in-Hand Grass Fed Meats LLC is a limited liability company with a registered address at 672 Millcreek School Road, Bird-in-Hand, Lancaster County, Pennsylvania, a farm adjacent to other Defendants' residence/place of business, and is believed to be owned and operated by Defendants.

29. Defendants manufacture, process, prepare, label, market and sell a vast array of meat, poultry, produce, dairy products, and processed foods both locally and nationally ("Defendants' Products").

30. Upon information and belief, Defendants also market and sell food products and raw milk/raw milk products obtained from sources other than Defendants' own operations ("Third-Party Products," and collectively with Defendants' Products, the "Products").

31. Defendants market and sell the Products to MOF members, including to food co-operatives, by filling telephone, email, fax and internet orders by either transporting the Products themselves or by arranging delivery services to transport the Products.

32. Upon information and belief, all Defendants operate as a common enterprise with common ownership and/or an administrative nexus.

33. The Individual Defendants controlled, directed, ratified, formulated, authorized or otherwise participated in all of the acts and practices set forth herein.

FACTUAL ALLEGATIONS
Defendants' Business Operations

34. Defendants operate a "retail on-farm store" 6 days per week.

35. The Products that Defendants market and sell include, but are not limited to, raw milk and dairy products, fresh and frozen fruits and vegetables, fresh apple cider, nuts, fruit butter, fruit jellies, fruit purees, fermented vegetables, baked goods, fruit juices, kefir, kombucha, meat

and poultry, meat and poultry products, and “homemade” items including nut butter, granola, and mayonnaise. *See* “Miller’s Organic Farm March 2023 Specials,” and May 2023 Millers Organic Farm publication, attached as Exhibit 1.

36. Defendants have engaged in the business activities described in the foregoing Paragraph for many years. *See* “Miller’s Organic Farm February 2016 Specials,” attached as Exhibit 2; “Miller’s Organic Farm May 2021 Specials,” at Exhibit 3.

37. Defendants operate one or more dairy farms and obtain animal milks from third-parties.

38. Defendants manufacture, process, market and/or sell milk and milk products to consumers, including, but not limited to the following: (a) cow - milk, cheeses, butter, cream, ice cream, sour cream, yogurt, smoothies and kefir; (b) cow (raw) – raw cow’s milk, raw cow milk ice cream, raw hard cow cheese; (c) water buffalo (raw) milk butter; buffalo milk cheese, colostrum, cottage cheese, cream, egg custard, ice cream, kefir, whey, and yogurt; (d) camel (raw) milk and yogurt; (e) donkey - raw milk; (f) sheep (raw) – milk, butter, cheese, colostrum, cottage cheese, cream, kefir, and yogurt; and (g) goat (raw) – milk, probiotic drink, butter, butter milk, cheese, colostrum, cottage cheese, cream, ice cream, kefir, milk, whey, and yogurt.

Exhibits 1-3; Website captures from <https://www.millersorganicfarm.com>, (visited and captured October 2-3, 2023), at Exhibit 4.

39. Defendants take orders by telephone, on-line and in-person.

40. Defendants market, sell and ship the Products in Pennsylvania and throughout the United States.

Raw Milk

41. Unpasteurized or “raw” milk and raw milk products may contain a wide variety of harmful pathogenic bacteria, including *Salmonellae*, *Listeria monocytogenes*, *Campylobacter*, and *E. Coli* 0157:H7. See 7 Pa. Code §59a.408(c).

42. Epidemiological studies have established a direct link between the consumption of raw milk and gastrointestinal illness.

43. Federal and state agencies have documented a long history of the risks to human health associated with the consumption of raw milk and have expressly advised consumers about the dangers of drinking unpasteurized milk.

44. In November 2015, samples of raw chocolate milk produced by MOF that contained the *Listeria* bacteria were collected.

45. Testing by the United States Food and Drug Administration (“FDA”) determined that the *Listeria* bacteria from the MOF raw milk sample was closely related genetically to *Listeria* bacteria from two unrelated individuals in Florida and California who had become sick in 2014.

46. Both individuals were hospitalized, and the Florida individual died as a result of the illness.

47. Public health officials determined that both individuals had consumed raw milk before they got sick, and that the family of the Florida individual had purchased raw milk from MOF.

48. In late January 2016, the FDA reported to the CDC that the bacteria among the infected individuals and the chocolate milk sample were the “likely source” of the infections.

49. On or about March 16, 2016, the CDC issued an internet posting about MOF which provided the factual background regarding the California and Florida illnesses, and stated that the CDC was “concerned that contaminated raw milk and other raw dairy products from this company could still be on the market and make people sick.” March 16, 2016 CDC Web Posting, <https://www.cdc.gov/listeria/outbreaks/raw-milk-03-16/index.html>, attached as Exhibit 5

(last visited November 2, 2023).

**Enforcement Efforts and Defendants’ Disregard
for Statutes, Regulations and Court Orders**

50. After learning in 2016 of the illnesses linked to Defendants’ raw milk operations, the Department commenced repeated, and ultimately futile, efforts to work with Defendants to come into compliance with the Milk & Food Safety Laws.

51. On March 22, 2016, employees from the Department’s Bureau of Food Safety and Laboratory Services (the “BFS”) visited the Defendants’ property located at 648 Millcreek School Road to inspect the facilities.

52. The BFS employees were accompanied by investigators from the federal Food Safety and Inspection Service (“FSIS”) of the United States Department of Agriculture (“USDA”).

53. A BFS representative provided Mr. Miller with a copy of the PA Food Code and explained various applicable definitions and laws to him, as well as the need for his business operations to be registered and inspected pursuant to the Milk & Food Safety Laws.

54. FSIS representatives had similar conversations with Mr. Miller, albeit regarding federal law related to Mr. Miller’s meat and poultry operations.

55. Ultimately, Mr. Miller told the BFS and FSIS representatives to leave the property and declined their requests to inspect the facilities.

56. Notwithstanding the denial of access, in the brief time that the BFS representatives were at the property, they observed the following:

- a. walk-in coolers and/or freezers;
- b. a truck delivering various food items;
- c. insulated coolers with last names written on them inside the facility;

- d. numerous boxes and packaging materials;
- e. unmarked jars of various food items stored on shelves; and
- f. a woman carrying a large pot from across the yard and entering the facility.

57. Following Mr. Miller's denial of access and inspection to the BFS, by letter dated April 11, 2016, the BFS provided Defendants with a copy of the Food Safety Act, and an explanation of Defendants' obligations thereunder. April 11, 2016 Correspondence attached as Exhibit 6 (the "April 2016 BFS Letter").

58. The April 2016 BFS Letter also enclosed a copy of the Milk Sanitation Law, the Raw Milk Regulations, and information regarding the Department-issued permit required by law to sell raw milk for human consumption.

59. In response to the April 2016 BFS Letter, Defendants claimed that their operations are outside the jurisdiction of federal and state licensing agencies.

60. On June 3, 2016, the USDA filed a "Complaint to Enforce U.S. Department of Agriculture, Food Safety and Inspection Service, Subpoena *Duces Tecum*" in the United States District Court for the Eastern District of Pennsylvania. *United States v. Miller's Organic Farm and Amos Miller*, 5:16-cv-02732 (E.D.Pa. 6/13/16) (the "2016 Subpoena Enforcement Action").

61. The USDA filed the 2016 Subpoena Enforcement Action after months of seeking access to inspect MOF, and after Mr. Miller refused to comply with a federal subpoena for access.

62. On April 4, 2019, the USDA filed a complaint for permanent injunction against Mr. Miller and MOF in the United States District Court for the Eastern District of Pennsylvania. *United States v. Miller's Organic Farm*, 5:19-cv-01435-EGS (E.D.Pa. 11/19/19) (the "2019

Injunction Action”).

63. At various stages in the 2019 Injunction Action, Mr. Miller has conceded and the federal court has found that the Individual Defendants have been “preparing, processing, storing, and/or distributing meat, meat food products, and poultry products,” as well as selling these products “for commercial purposes and for human consumption to consumers in Pennsylvania and throughout the United States.” July 22, 2021 Order at ¶ 6(b)-(c), attached as Exhibit 7 (“First Contempt Order”).

64. The Commonwealth is not a party to the 2019 Injunction Action, and none of the claims brought herein were asserted in that case.

65. However, multiple Orders entered into the 2019 Injunction Action require Defendants to conduct operations in compliance with Pennsylvania licensing requirements and applicable food codes, the first order having been entered in November of 2019. November 19, 2019 Injunction Order, attached as Exhibit 8, at ¶9(e) (the “2019 Injunction Order”). *See also* April 16, 2020 Consent Decree, attached as Exhibit 9, at p. 8, ¶¶4-5 (requiring Defendants to show “compliance with applicable federal and State laws, including Commonwealth of Pennsylvania licensing requirements, as required by the [2019] Injunction Order” and “Pennsylvania retail licensing requirements”); First Contempt Order, Ex. 7, at ¶10 (Defendants are “subject to Commonwealth of Pennsylvania and local licensing requirements and applicable food codes...”).

66. On January 30, 2020, a representative from the Department met with Mr. Miller to discuss Pennsylvania licensing, registration and permitting requirements in order to assist Defendants in complying with the 2019 Injunction Order.

67. During the January 30, 2020 meeting, it was explained to Mr. Miller that Defendants’

operations required a raw milk permit, a retail food facility license, and a food establishment registration, all discussed more fully below.

68. Mr. Miller was provided applications for the foregoing permit, license and registration during the January 30, 2020 meeting.

69. The Department sent follow-up correspondence to Mr. Miller on February 13, 2020, which included a summary of the applicable law and reminder of the need for licensing, registration and permitting prior to the sale of food and milk. February 13, 2020 correspondence, attached as Exhibit 10.

70. By correspondence that the Department received on March 25, 2020, Mr. Miller notified the Department that he intended to shut down operations, but also stated that Defendants “will give our members a chance to restructure to a herd lease or to use our private agreement etc. . . .as you may know we do not supply to any stores which would be public [sales].” Correspondence from Amos Miller, received by the Department on March 25, 2020, attached as Exhibit 11, at p. 2, final ¶.

71. In response to Mr. Miller’s implication that Defendants might continue sales through “private agreements,” the Department issued a letter dated April 23, 2020, again explaining the need for compliance with Pennsylvania law and clearly explaining that “organizing [Defendants’] business as a ‘buyers’ club’ or a business that conducts only ‘private sales’ . . .does not relieve a food sales business” from having to comply with the Milk Sanitation Law or the Food Safety Act. Correspondence dated April 23, 2020, attached as Exhibit 12.

72. While the above letters were being exchanged between Defendants and the Department, the federal court in the 2019 Injunction Action entered an order pursuant to a

consent decree on April 16, 2020. (April 16, 2020 Consent Decree, Ex. 9) (the “First Consent Decree”).

73. The First Consent Decree required Defendants to cease and desist meat-and-poultry related operations and certain specified marketing activities until they became compliant “with applicable federal and State laws, including Commonwealth licensing requirements...;” and it also required Defendants to remove certain products from their advertising “until such time, and to the extent, that Miller’s is in compliance with all applicable federal and State laws, including Commonwealth of Pennsylvania retail licensing requirements.” (First Consent Decree, Ex. 9, at ¶¶ 4-5).

74. Throughout enforcement efforts, Mr. Miller had repeatedly taken the position that Defendants’ business operations were not subject to state and federal laws and regulations because he did not sell to the “public,” but only through their “private” club.

75. On October 23, 2020, three representatives from the Department, together with representatives from the USDA, met with Mr. Miller and his counsel in order to discuss the federal and Commonwealth laws and regulations applicable to Defendants’ operations.

76. The October 23, 2020 meeting arose out of the 2019 Injunction Action as a means to help Defendants fulfill their obligations under the First Consent Decree, including their obligation to become compliant with all Pennsylvania licensing and retail licensing requirements.

77. Despite all of these efforts by the Department (and the USDA), Defendants continued operations without regard to their statutory, regulatory or court-ordered obligations.

78. For example, on November 5, 2020, the Defendants distributed a newsletter stating that “our cooler is stocked with nutrient-dense food for our members;” that “[w]e have a few

food drops in certain areas,” where members can pick up their “order[s];” and an extensive list of Products that could be ordered for Thanksgiving meals. November 2020 Newsletter, attached as Exhibit 13.

79. Less than two weeks later, on November 17, 2020, federal investigators detained 123 pounds of pork and beef hot dog products from an unknown outside source that Miller’s apparently intended to resell to its customers.

80. As a result of the Defendants’ flagrant disregard for applicable laws and court orders, the court in the 2019 Injunction Action entered a July 22, 2021 Order holding that the Defendants had violated federal law, as well as the 2019 Injunction Order and the First Consent Decree. (First Contempt Order, attached as Exhibit 7, at ¶82).

81. In the First Contempt Order, the federal court further held that “Defendants’ continuing failures and refusals to comply with [court orders and federal law] have impaired and will continue to impair the USDA’s and FSIS’s ability to fulfill their public health missions.” (First Contempt Order, Ex. 7, at ¶88).

82. The First Contempt Order imposed multiple contempt sanctions, including payment of a \$250,000 fine; payment of \$14,436.26 in enforcement costs; and of specified retail operations “*unless and until Miller’s can demonstrate compliance with federal and Commonwealth of Pennsylvania law...including Commonwealth of Pennsylvania licensing requirements.*” (First Contempt Order, Ex. 7, at ¶¶ 94-125) (emphasized language in ¶120).

83. Yet, following the entry of the First Contempt Order, the Defendants continued to operate unregistered, unlicensed, and unpermitted without regard for Pennsylvania law.

84. While continuing to operate, Defendants engaged in a complex scheme to hide their

operations that included moving operations to an adjacent property that they own(ed), changing product labels, and using an employee as a front for their operations. February 7, 2022 Order, attached as Exhibit 14, at ¶¶8-57 (“Second Contempt Order”).

85. On September 8, 2021, an inspector from the Department’s BFS accompanied four USDA inspectors on a visit to MOF in order to observe Defendants’ operations.

86. During this visit, which lasted approximately 2 hours and 45 minutes, the BFS inspector observed the following:

- a. A sign on the door listing business hours for association members and a customer service counter located inside near the entrance door.
- b. A walk-in cooler in which food items were price-marked and labeled for sale, including, but not limited to a large variety of fermented and acidified foods (pickles, relish, beets, okra); beverages, including flavored water, kefir, ginger ale and lemonade; raw dairy items, including raw (cow, buffalo, goat and camel) milk, butter (salted and unsalted), ghee, raw cheese, colostrum, cream cheese, and buffalo kefir.
- c. Assorted cheeses in a section of the walk-in cooler designated for aging cheeses.
- d. An individual customer removing items from shelves in the cooler to purchase.
- e. A “front” walk-in freezer containing the following - broth (chicken, veal and beef); baked goods; raw dairy products (cottage cheese, sheep cream, soft buffalo cheese); turkey sausage; ground and whole buffalo meat; and chicken (whole and cut).
- f. A second “rear” walk-in freezer containing the following - ground beef; ground buffalo meat; sausage; and chicken.
- g. A “slaughter area” in which the inspector observed a skid loaded with egg boxes next to a hanging buffalo carcass in the chilling cooler.
- h. A “receiving area,” in which the inspector observed three large floor-mounted stainless steel cookers.
- i. Two of the cookers had chicken parts (heads, feet, backs) in them, which were presumably cooking parts down for chicken broth.
- j. A bulk milk tank trailer parked on the side of the facility with a hose from the rear of the trailer running into the building.
- k. Two employees filling milk bottles from an inside bulk tank.

- l. An outside freezer trailer with spray foam applied to the exterior, inside of which was chicken that was processed on another farm under the name of Bird-in-Hand Meats.
 - m. A vehicle that backed up to the front of the facility and delivered 5-6 cases of eggs.
 - n. Two people exiting a vehicle, entering the facility, and then returning with items from the facility.
 - o. An upstairs storage area in which there were a large quantity of plastic gallon containers and half gallon glass milk bottles.
 - p. A third walk-in cooler near a slaughter room where there were approximately 30-40 large blocks of aged raw cheese.
87. On October 6, 2021, FSIS was informed that Defendants regularly transport pallets of foodstuffs from MOF to local commercial carrier terminals for further transport to final destinations throughout the United States.
88. On October 23, 2021, FSIS randomly selected 20 boxes in a shipment scheduled by MOF to be delivered to “My Healthy Food Club” in Miami, Florida.
89. In addition to meat and poultry products, these boxes contained milk and cheese products, some or all of which were believed to be raw milk.
90. On November 17, 2021, a representative from the Department, together with FSIS, examined a shipment of food products located at Mario Cutone Mushrooms, Inc. of Avondale, Pennsylvania (the “M. Cutone Shipment”).
91. The M. Cutone Shipment was addressed from the Defendants’ address to a recipient in Massachusetts.
92. The M. Cutone Shipment included invoices stating, “Make payable to: Miller’s Organic Farm, Private Membership Association, 648 Mill Creek Road, Bird-in-Hand, PA.”
93. In addition to meat and poultry products, the M. Cutone Shipment included a variety of other food products.

94. The Department detained the M. Cutone Shipment on November 17, 2021, and on November 23, 2021, the Department issued an Order Confirming Detention of Adulterated and Misbranded Food. November 23, 2021 Detention Order, attached hereto as Exhibit 15.

95. On February 7, 2022, the federal court in the 2019 Injunction Action held that Defendants had violated the Injunction Order, the First Consent Decree and the First Contempt Order, including the provisions requiring “compliance with Commonwealth of Pennsylvania retail licensing requirements,” and fined Defendants for operating without the proper Pennsylvania licensure. Second Contempt Order, Exhibit 14, at ¶¶175-79.

96. On December 13, 2022, the terms of a Second Consent Decree were signed as an Order of Court in the 2019 Injunction Action. December 13, 2022 Second Consent Decree, attached hereto as Exhibit 16 (the “Second Consent Decree”).

97. The Second Consent Decree states that the 2019 Injunction remains in effect. Second Consent Decree, Exhibit 16 at ¶12.

98. On August 4, 2023, the Court entered a Third Consent Decree that again said that the 2019 Injunction “and other enforcement orders” remain in effect. August 4, 2023 Consent Decree, attached hereto as Exhibit 17, at ¶11.

Recent STEC Cases, Search Warrant, and Positive *Listeria* Samples

99. On December 19, 2023, the New York State Department of Health informed the Department of a confirmed positive case of illness caused by the foodborne pathogen *Shinga toxin producing e. Coli* (“STEC”) in an underage individual who consumed raw eggnog reported to be from MOF, which egg nog tested positive for STEC.

100. On December 28, 2023, the Department received a report of a confirmed case of

STEC in an underage individual from Michigan who receives raw milk and other products from MOF.

101. STEC is a bacteria that can cause illness in people of any age. As explained by the Centers for Disease Control (“CDC”):

People of any age can become infected. Very young children and the elderly are more likely to develop severe illness and hemolytic uremic syndrome (HUS) than others, but even healthy older children and young adults can become seriously ill.

...

Around 5–10% of those who are diagnosed with STEC infection develop a potentially life-threatening complication known as hemolytic uremic syndrome (HUS). . . Persons with HUS should be hospitalized because their kidneys may stop working and they may develop other serious problems. Most persons with HUS recover within a few weeks, but some suffer permanent damage or die.

<https://www.cdc.gov/ecoli/general/index.html>, “Who gets STEC infections?” & “What is hemolytic uremic syndrome (HUS), a complication of STEC infections?” (last visited 1/15/2024).

102. In furtherance of the Department’s investigation of these STEC cases, on January 4, 2024, food safety enforcement personnel from the Department visited the premises of Miller’s Organic Farm at 648 Millcreek School Road, Bird-in-Hand, PA 17505 (the “Facility”) to execute an administrative search warrant for adulterated or misbranded food, sampling and records.

103. During the January 4, 2024 search, inspectors observed walk-in coolers and freezers full of milk and food products being manufactured or held for delivery and intended for sale to consumers. Such products include, but are not limited to, various types of raw meat, raw milk, raw milk products, ice cream, and cheese.

104. None of the raw milk products found at the Facility during the January 4, 2024 search

are approved to be manufactured or sold for human consumption under the Milk Sanitation Law; and all of the products found during the search were produced, prepared or packed in an unregistered and uninspected “food establishment,” as defined by the Food Safety Act, 3 Pa.C.S.A. §5722, and discussed more fully below.

105. At the time of the January 4, 2024 search, none of the Defendants had valid permits or licenses under the Milk & Food Safety Laws, the requirements of which are discussed more fully below.

106. During the January 4, 2024 search, Department inspectors observed that milk and food packages at the facility did not comply with labeling requirements set forth in the Food Safety Act and discussed more fully below.

107. During the January 4, 2024 search, the Department collected products for sampling purposes and marked and photographed other products and containers of products. January 11, 2024 Order Confirming Detention of Adulterated and Misbranded Food, attached hereto as Exhibit 18, including Search Warrant (Exhibit “A”), Return of Service and Inventory (Exhibit “B”), Notice Food Under Detention Order (Exhibit “C”).

108. Raw milk samples and raw milk product samples collected from the Facility on January 4, 2024 (the “Samples”) were (and continue to be) tested for the presence of various foodborne pathogens.

109. Initial testing of some of the Samples identified the presence of the bacterium *Listeria monocytogenes* (“*Listeria*”), including in bulk tanks of raw milk, packaged raw milk and egg nog. January 16, 2024 Preliminary Report, attached as Exhibit 19.

110. *Listeria* poses serious health risks to humans. As explained by the CDC:

Listeria are bacteria that can contaminate many foods. People who eat those foods can get infected with *Listeria*. The infection is called listeriosis.

Listeria are most likely to sicken people who are pregnant and their newborns, adults 65 or older, and people with weakened immune systems. . .

. . .

. . . CDC estimates that *Listeria* is the third leading cause of death from foodborne illness in the United States.

Listeria can also cause an intestinal illness that is usually mild. When *Listeria* bacteria spread beyond the intestines, we call the infection invasive. CDC only tracks *Listeria* illnesses that are invasive.

Invasive illness in pregnant people is usually mild. However, invasive illness during pregnancy usually leads to miscarriage, stillbirth, premature delivery, or life-threatening infection of the newborn. Infection during pregnancy results in fetal loss in about 20% of cases and newborn death in about 3% of cases.

Other people with invasive illness – most commonly adults 65 years and older and people with weakened immune systems – usually have infection of the bloodstream (sepsis) or brain (meningitis or encephalitis). *Listeria* can sometimes infect other parts of the body. Among invasive illnesses not associated with pregnancy, most people need to be hospitalized (about 87% of cases) and about 1 in 6 people die.

[Questions and Answers | Listeria | CDC, https://www.cdc.gov/listeria/faq.html#serious](https://www.cdc.gov/listeria/faq.html#serious) (last visited January 17, 2024).

111. By correspondence dated January 16, 2024, the Commonwealth notified Defendants of positive *Listeria* test results. Correspondence dated January 16, 2024, attached as Exhibit 20.

LEGAL STANDARDS

Milk Sanitation Law and Raw Milk Regulations

112. The Milk Sanitation Law provides, in relevant part:

Except as hereinafter provided, no person shall sell milk, milk products or manufactured dairy products within this Commonwealth without first having obtained a permit from the “[S]ecretary,” nor otherwise than in accordance with the requirements of this act. Each person desiring a permit to sell milk, milk products or manufactured dairy products shall annually make an application therefor on a form to be secured from the “[S]ecretary.”

31 P.S. §646.

113. The Milk Sanitation law defines “milk” to include “milk, skimmed milk, cream, sour milk, sour cream, buttermilk, and all other fluid derivatives of milk.” 31 P.S. §645.

114. The statute defines “milk products” as “ice cream, ice cream mix, custard ice cream, french ice cream, frozen custard, and other similar frozen products, and all dairy products used in the manufacture thereof.” 31 P.S. §645.

115. The Raw Milk Regulations “prescribe[] the permitting, testing and inspection requirements that are applicable to persons seeking to sell raw milk for human consumption.” 7 Pa. Code §59a.401.

116. The Raw Milk Regulations prohibit the sale of raw milk for human consumption “without having a current raw milk permit issued by the Department” (a “Raw Milk Permit”). 7 Pa. Code §59a.402(a).

117. A Raw Milk Permit authorizes the holder “to lawfully produce and sell (*within this Commonwealth*) raw whole milk for human consumption [and] to obtain an additional permit...authorizing the sale of cheese manufactured from raw milk” under specified circumstances. 7 Pa. Code §59a.402(b) (emphasis added).

118. The circumstances under which a permit holder may sell cheese manufactured by raw milk are as follows: (1) the cheese is a “standardized cheese” identified in 21 C.F.R. Part 133, Subpart B; and (2) the standards for the standardized cheese allow for it to be manufactured from

raw milk.” 7 Pa. Code §59a.402(b).

119. The Raw Milk Regulations further provide that a seller of raw milk must be in compliance with “testing and documentation requirements” set forth in the regulations, including, initial and/or periodic inspections of the farm; confirmations that the animal(s) from which raw milk is to be produced are free of certain diseases; veterinary examinations; water supply testing; and sampling and testing of the milk. 7 Pa. Code §§59a.403-404, 406-408, 411(a)(3)(iv) & 412.

120. With some specified exceptions, the Raw Milk Regulations require that raw milk permit holders, “maintain and operate the subject dairy operation in compliance with the same sanitation and handling standards that are applicable to the production of milk for pasteurization. . .” 7 Pa. Code §59a.405.

121. The Raw Milk Regulations specify in detail (1) where and how raw milk should be packaged for sale or delivery, 7 Pa. Code §59a.410; and (2) labeling requirements for raw milk, 7 Pa. Code §59a.411.

122. At all times relevant to this action, Defendants have never possessed the permits required by the Milk Sanitation Law and its attendant regulations to sell raw milk for human consumption.

123. The Raw Milk Regulations include numerous enforcement provisions, including suspension or revocation of permits, criminal prosecution, injunctions, and the seizure, condemnation, denaturing or destruction of raw milk. 7 Pa. Code §§59a.413-59a.416.

124. “The Attorney General may, at the instance of the [S]ecretary, in the name of the Commonwealth institute proceedings for the purpose of enjoining any person from offering milk,

milk products or manufactured dairy products for sale without a permit as provided in this act or to enjoin violation of this act.” 31 P.S. §660f.

125. “The Department may ask the Attorney General to initiate legal action to enjoin a person from selling raw milk for human consumption without the required raw milk permit... Violations of an injunction can result in fines or imprisonment, or both.” 7 Pa. Code §59a.415.

126. The Department has requested, pursuant to 31 P.S. §660f and 7 Pa. Code §59a.415, that the Attorney General initiate this action, and the Attorney General is authorized by the Commonwealth Attorneys Act to “represent the Commonwealth and all Commonwealth agencies...in any action brought by or against the Commonwealth or its agencies...” 71 P.S. §732-204(b).

The Food Safety Act

127. The Food Safety Act prohibits the following acts:

(1) Manufacture, sale, delivery, consignment, bailment, holding or offering for sale of any food that is adulterated or misbranded, except where a person in good faith delivers or offers to deliver the food and furnishes shipping documents to the secretary.

(2) Adulteration or misbranding of any food.

...

(5) Refusal to permit during normal business hours entry to, inspection of or taking of a sample or access to or copying of any record at a food establishment as authorized under section 5732(a)(2) and (3) (relating to inspection and access to records).

...

(11) Failure to register with the department under the provisions of section 5734 (relating to registration of food establishments).

3 Pa. C.S.A. §5723(1)-(2), (5), (11).

128. The Food Safety Act states that food “shall be deemed adulterated... [i]f it “has been produced, prepared, packed or held in unsanitary conditions that may have become contaminated with filth or may have been rendered diseased, unwholesome or injurious to health.” 3 Pa.C.S.A. §5728(6).

129. The Food Safety Act provides that:

Food shall be misbranded:

(1) If its labeling is false or misleading in any way.

...

(5) If it is in a package that does not bear a label containing:

(i) The name and place of business of the manufacturer, packer or distributor.

(ii) An accurate statement of the quantity of the contents in terms of weight, measure or numerical count.

...

(6) If it is represented as a food for which a definition and standard of identity has been prescribed by regulation under this subchapter or under any of the Federal acts, unless it conforms to the definition and standard and its label bears the name of the food specified in the definition and standard and the common names of optional ingredients, other than spices, flavoring and coloring, present in the food.

(7) Unless its label bears the following:

(i) The common or usual name of the food, if any.

(ii) If made from two or more ingredients, the common or usual name of each ingredient is listed in descending order of predominance by weight, except that spices, flavorings and colorings not required to be certified under any of the Federal acts, other than those sold as such, may be designated as spices, flavorings and colorings without naming each.

3 Pa.C.S.A. §5729 (1), (5), (6), (7).

130. The Food Safety Act authorizes the Secretary to do all of the following:

(a) Inspection. For purposes of enforcement of this subchapter, the secretary is authorized, upon presenting appropriate credentials to the owner, operator or agent in charge:

...

(2) To inspect at reasonable times, within reasonable limits and in a reasonable manner, the factory, warehouse, food establishment or vehicle and all pertinent materials, containers and labeling and to obtain samples necessary to administer this subchapter.

(3) To have access to and to copy all records of carriers showing the movement in commerce of any food or the holding thereof during or after the movement, and the quantity, shipper and consignee thereof, if the secretary has probable cause to believe that the movement or holding of food is in violation of this subchapter or department regulations.

...

(c) Collection of samples.--During an inspection of a factory or other food establishment where food is manufactured, processed, packed, stored or offered for sale, the secretary may obtain a sample of any food for such analysis as is necessary to determine compliance with this subchapter.

3 Pa.C.S.A. §5732 (a)(2)-(3) & (c).

131. The Food Safety Act defines a “food establishment” to include “a room, building or place or portion thereof or vehicle maintained, used or operated for the purpose of commercially storing, packaging, making, cooking, mixing, processing, bottling, baking, canning, freezing, packing or otherwise preparing, transporting or handling food.” 3 Pa.C.S.A. §5722.

132. The Food Safety Act mandates that, “it shall be the duty of every person operating a food establishment within this Commonwealth to register with the secretary as a food establishment.” 3 Pa.C.S.A. §5734.

133. At all times relevant to this action, Defendants have operated, and continue to operate, a “food establishment,” as defined by the Food Safety Act.

134. None of Defendants has, at any relevant time, registered with the Department as a

food establishment.

135. Defendants have, during the relevant time period, manufactured, sold, delivered and/or held or offered for sale food that is adulterated and/or misbranded, including milk and/or milk products that have tested positive for STEC and *Listeria*, as well as food products that fail to comply with the labeling requirements set forth in the Food Safety Act.

136. Defendants have at times refused to permit the Secretary entry, inspection of or taking a sample or access records.

137. Pennsylvania has adopted all Federal regulations which relate to food as the regulations and regulatory standards in this Commonwealth. 3 Pa.C.S.A. §5733(f).

138. “In addition to any other remedies provided in this subchapter, the [S]ecretary may apply to the Commonwealth Court or to any other court having jurisdiction for a temporary or permanent injunction restraining a person from violating this subchapter or any regulation adopted under this subchapter.” 3 Pa.C.S.A. §5724.

139. The Attorney General is authorized by the Commonwealth Attorneys Act to “represent the Commonwealth and all Commonwealth agencies...in any action brought by or against the Commonwealth or its agencies...” 71 P.S. 732-204(b).

Retail Food Facility Safety Act

140. The Retail Food Facility Safety Act defines “retail food establishment” as, “[a]n establishment which stores, prepares, packages, vends, offers for sale or otherwise provides food for human consumption and which relinquishes possession of food to a consumer directly, or indirectly, through a delivery service such as home delivery of grocery orders or delivery service provided by common carriers.” 3 Pa.C.S.A. §5702.

141. The Retail Food Facility Safety Act defines “retail food facility” to include “a retail food establishment.” 3 Pa.C.S.A. §5702.

142. At all times relevant to this action, Defendants have operated, and continue to operate, a “retail food facility,” as that term is defined under the Retail Food Facility Safety Act.

143. With some exceptions, it is unlawful “for any proprietor to conduct or operate a retail food facility without first obtaining a license for each retail food facility as provided” in the Retail Food Facility Safety Act. 3 Pa.C.S.A. §5703.

144. The Retail Food Facility Safety Act requires, among other things, that retail food facilities (1) must be inspected by an appropriate authority prior to the issuance of a license; (2) must submit to inspection, sampling and analysis of its products by such authority after it is licensed; (3) shall not allow employees with certain infections or communicable diseases into the facilities; (4) must follow specified cleansing and sanitation regulations; and (5) must follow specified facility and employee cleanliness standards. 3 Pa.C.S.A. §§5703-5704 & 5707-5711.

145. Pennsylvania has adopted the requirements set forth in the “most current edition of the Food Code published by the Department of Health and Human Services, Food and Drug Administration,” as the regulatory requirements for retail food facilities operating in this Commonwealth. *See* PA Food Code, 7 Pa. Code §§46.3 and 46.4.

146. The purpose of the PA Food Code is “to safeguard public health and ensure that consumers are provided food that is safe, unadulterated and honestly presented.” 7 Pa. Code §46.1

147. In addition to criminal and administrative penalties, the Retail Food Facility Safety Act authorizes the Secretary of Agriculture to proceed “under any other remedy available at law

or in equity for a violation of this subchapter or a rule or regulation adopted or any order issued under this subchapter...” 3 Pa.C.S.A. §5714(a)(2).

148. The Attorney General is authorized by the Commonwealth Attorneys Act to “represent the Commonwealth and all Commonwealth agencies...in any action brought by or against the Commonwealth or its agencies...” 71 P.S. 732-204(b).

The Unfair Trade Practices and Consumer Protection Law

149. The UTPCPL defines “trade” and “commerce” as “the advertising, offering for sale, sale or distribution of any services and any property, tangible or intangible, real, personal or mixed, and any other article, commodity, or thing of value wherever situate, and includes any trade or commerce directly or indirectly affecting the people of this Commonwealth.” 73 P.S. §201-2(3).

150. The acts and practices identified below are among the “unfair methods of competition” and/or “unfair or deceptive acts or practices” that are unlawful under the UTPCPL:

- a. “Passing off goods or services as those of another,” 73 P.S. §201-2(i);
- b. “Causing likelihood of confusion or of misunderstanding as to the source, sponsorship, approval or certification of goods or services,” 73 P.S. §201-2(ii);
- c. “Causing likelihood of confusion or of misunderstanding as to affiliation, connection or association with, or certification by, another,” 73 P.S. §201-2(iii);
and
- d. “Engaging in any other fraudulent or deceptive conduct which creates a likelihood of confusion or of misunderstanding,” 73 P.S. §201-2(4)(xxi).

151. “Whenever the Attorney General or a District Attorney has reason to believe that any person is using or is about to use any method, act or practice declared by section 3 of this act to

be unlawful, and that proceedings would be in the public interest, he may bring an action in the name of the Commonwealth against such person to restrain by temporary or permanent injunction the use of such method, act or practice.” 73 P.S. §201-4.

152. “Whenever any court issues a permanent injunction to restrain and prevent violations of this act as authorized in section [201-4], the court may in its discretion direct that the defendant or defendants restore to any person in interest any moneys or property, real or personal, which may have been acquired by means of any violation of this act, under terms and conditions to be established by the court.” 73 P.S. §201-4.1.

153. The UTPCPL provides that the Commonwealth may recover civil penalties of up to one thousand dollars (\$1,000) for each violation of the UTPCPL “if the court finds that a person, firm or corporation is willfully using or has willfully used a method, act or practice declared unlawful by section 3 of this act...” 73 P.S. §201-8.

COUNT I

Violations of the Milk Sanitation Law and Regulations **(Department of Agriculture v. All Defendants)**

154. Since at least 2014, and continuing through to the present, Defendants have engaged in the sale of milk, milk products, and dairy products in violation of the Milk Sanitation Law, including the Raw Milk Regulations, as follows:

- a. selling “milk, milk products or manufactured dairy products,” without the required permit(s) from the Secretary, in violation of 31 P.S. §646;
- b. selling raw milk without “a current raw milk permit issued by the Department,” in violation of 7 Pa. Code §59a.402(a);
- c. selling “cheese manufactured from raw milk” without a permit “authorizing the

sale of cheese manufactured from raw milk,” in violation of 7 Pa. Code §59a.402(b);

- d. selling Products manufactured from raw milk in addition to “standardized cheese” permitted by federal law, in violation of 7 Pa. Code §59a.402(b);
- e. selling raw milk and Products manufactured from raw milk outside the Commonwealth of Pennsylvania, in violation of 7 Pa. Code §59a.402(b); and
- f. selling raw milk and raw milk products without adherence to Commonwealth testing, documentation, inspection, sampling, sanitation, handling, and labeling requirements, in violation of 7 Pa. Code §§59a.403-408 & 410-413.

155. Defendants knowingly and willfully continued their operations in violation of the Milk Sanitation Law and the Raw Milk Regulations despite repeated efforts by the Department to assist Defendants with compliance.

WHEREFORE, the Commonwealth of Pennsylvania respectfully requests that this Honorable Court issue and Order:

- A. Declaring that Defendants sell milk, milk products or manufactured dairy products without the required permit(s) from the Secretary, in violation of 31 P.S. §646;
- B. Declaring that Defendants sell raw milk without “a current raw milk permit issued by the Department,” in violation of 7 Pa. Code §59a.402(a);
- C. Declaring that Defendants sell “cheese manufactured from raw milk” without a permit authorizing the sale of cheese manufactured from raw milk, in violation of 7 Pa. Code §59a.402(b);
- D. Declaring that Defendants sell Products manufactured from raw milk in addition to

- “standardized cheese” permitted by federal law, in violation of 7 Pa. Code §59a.402(b);
- E. Declaring that Defendants sell raw milk and Products manufactured from raw milk outside the Commonwealth of Pennsylvania, in violation of 7 Pa. Code §59a.402(b);
 - F. Declaring that Defendants sell raw milk and raw milk products without compliance with Commonwealth testing, documentation, inspection, sampling, sanitation, handling, and labeling requirements, in violation of 7 Pa. Code §§59a.403-408 & 410-413;
 - G. Permanently enjoining Defendants from selling milk, milk products or manufactured dairy products without a permit from the Secretary as required by 31 P.S. §646;
 - H. Permanently enjoining Defendants from selling raw milk without a current Raw Milk Permit issued by the Department, as required by 7 Pa. Code §59a.402(a);
 - I. Permanently enjoining Defendants from selling “cheese manufactured from raw milk” without a current permit authorizing the sale of cheese manufactured from raw milk, as required by 7 Pa. Code §59a.402(b);
 - J. Permanently enjoining Defendants from selling Products manufactured from raw milk in addition to “standardized cheese” permitted by federal law, as prohibited by 7 Pa. Code §59a.402(b);
 - K. Permanently enjoining Defendants from selling raw milk and Products manufactured from raw milk outside the Commonwealth of Pennsylvania, as prohibited by 7 Pa. Code §59a.402(b);
 - L. Permanently enjoining Defendants from selling raw milk and raw milk products

without compliance with Commonwealth testing, documentation, inspection, sampling, sanitation, handling, and labeling requirements, as required by 7 Pa. Code §§59a.403-408 & 410-413; and

M. Granting such other general, equitable and/or further relief as the Court deems just and proper.

COUNT II

Violations of the Food Safety Act
(Department of Agriculture v. All Defendants)

156. Defendants operate “a room, building or place or portion thereof or vehicle maintained, used or operated for the purpose of commercially storing, packaging, making, cooking, mixing, processing, bottling, baking, canning, freezing, packing or otherwise preparing, transporting or handling food,” and have done so since at least 2014, and therefore are or operate as a “food establishment” as defined by the Food Safety Act, 3 Pa.C.S.A. §5722.

157. Defendants have operated such food establishment in violation of the Food Safety Act as follows:

- a. Failing to register with the Secretary as a food establishment in violation as required by of 3 Pa.C.S.A. §5734, and in violation of 3 Pa.C.S.A. §5723 (11);
- b. Manufacturing, selling, delivering, consigning, holding or offering for sale food that is adulterated and/or misbranded, as defined by 3 Pa.C.S.A. §§5728 & 5729(a), and in violation of 3 Pa.C.S.A. §5723 (1);
- c. Adulteration and/or misbranding food as defined by Pa.C.S.A. §§5728 & §5729(a), and in violation of 3 Pa.C.S.A. §5723 (2);
- d. Operating a food establishment without compliance with the requirements to allow

the Secretary physical entry, inspection, access to records, and samples, in violation of 3 Pa.C.S.A. §5732, and in violation of 3 Pa.C.S.A. §5723(5); and

- e. Operating a food establishment without compliance with the requirements of the Code of Federal Regulations (“CFR”) which relate to food, including 21 CFR Part 117 titled “Current Good Manufacturing Practice, Hazard Analysis, and Risk-Based Preventive Controls for Human Food,” in violation of the Food Safety Act, 3 Pa.C.S.A. §5733(f).

158. Defendants have knowingly and willfully continued their operations in violation of the Food Safety Act despite exhaustive efforts by the Department to assist them with coming into compliance.

WHEREFORE, the Commonwealth of Pennsylvania respectfully requests that this Honorable Court issue an Order:

- A. Declaring that that Defendants are or operate as a “food establishment” as defined by the Food Safety Act, 3 Pa.C.S.A. §5722;
- B. Declaring that Defendants operate such food establishment without registering with the Secretary as a food establishment as required by 3 Pa.C.S.A. §5723(11), and in violation of 3 Pa.C.S.A. §5723(11);
- C. Declaring that Defendants have engaged and are engaging in the manufacture, sale, delivery, consignment, bailment, holding or offering for sale of food that is adulterated or misbranded as defined by 3 Pa.C.S.A. §§5728 & 5729(a), and in violation of 3 Pa.C.S.A. §5723 (1).
- D. Declaring that Defendants have engaged and are engaging in the adulteration and/or misbranding of food as defined by 3 Pa.C.S.A. §§5728 & 5729(a), and in

violation of 3 Pa.C.S.A. §5723 (2).

- E. Declaring that Defendants operate such food establishment without compliance with the requirements to allow the Secretary physical entry, inspection, access to records, and samples, in violation of the Food without compliance with the requirements to allow the Secretary physical entry, inspection, access to records, and samples, as required by 3 Pa.C.S.A. §5732, and in violation of 3 Pa.C.S.A. §5723(5).
- F. Declaring that Defendants operate without being in compliance with the requirements of the CFRs relating to food, including 21 CFR Part 117, in violation of the Food Safety Act, 3 Pa.C.S.A. §5733(f);
- G. Permanently enjoining Defendants from the manufacture, sale, delivery, consignment, bailment, holding or offering for sale of any food that is adulterated or misbranded, as defined by Pa.C.S.A. §5728 and 3 Pa.C.S.A. §5729(a).
- H. Permanently enjoining Defendants from the adulteration and/or misbranding of food as defined by Pa.C.S.A. §5728 and 3 Pa.C.S.A. §5729(a).
- I. Permanently enjoining Defendants from operating any food establishment that does not comply with the requirements to allow the Secretary physical entry, inspection, access to records, and samples, as set forth in 3 Pa.C.S.A. §5732;
- J. Permanently enjoining Defendants from operating any food establishment that does not comply with the requirements of the CFRs relating to food, including 21 CFR Part 117, 3 Pa.C.S.A. §5733(f);
- K. Granting such other general, equitable and/or further relief as the Court deems just and proper.

COUNT III

Violations of the Retail Food Facility Safety Act
(Department of Agriculture v. All Defendants)

159. Defendants “store[], prepare[], package[], vend[], offer[] for sale or otherwise provide[] food for human consumption and...relinquish[] possession of food to a consumer directly, or indirectly, through a delivery service such as home delivery of grocery orders or delivery service provided by common carriers,” and have done so since at least 2014, and therefore are or operate as a retail food facility as defined by the Retail Food Facility Safety Act. 3 Pa.C.S.A. §5702.

160. Defendants have operated such retail food facility in violation of the Retail Food Facility Safety Act as follows:

- a. operating “without first obtaining a license for each retail food facility,” in violation of 3 Pa.C.S.A. §5703; and
- b. operating a retail food facility without complying with inspection, sampling, analysis, sanitation, and cleanliness standards, in violation of 3 Pa. C.S.A. §§5703-5704 & 5707-5711;
- c. operating a retail food facility without compliance with the Food Code published by the Department of Health and Human Services, Food and Drug Administration, in violation of 7 Pa. Code §§46.3-46.4; and
- d. operating a retail food facility without compliance with the Department’s administrative procedures for facility access, plan submission and review, licensing and approval, and other requirements for operation of a retail food facility, in violation of 7 Pa. Code §§46.1101-46.1144.

161. The Defendants have knowingly and willfully continued their operations in violation of the Retail Food Facility Safety Act despite significant efforts by the Department to inform Defendants of their legal obligations and assist Defendants to come into compliance with the Retail Food Facility Safety Act.

WHEREFORE, the Commonwealth of Pennsylvania respectfully requests that this Honorable Court issue an Order:

- A. Declaring that Defendants are or operate as a retail food facility as defined by the Retail Food Facility Safety Act without the license required for such retail food facility, in violation of 3 Pa.C.S.A. §§5702-5703;
- B. Declaring that Defendants are or operate as a retail food facility without complying with inspection, sampling, analysis, sanitation, and cleanliness standards, in violation of 3 Pa. C.S.A. §§5703-5704 & 5707-5711;
- C. Declaring that Defendants are or operate as a retail food facility without compliance with the Food Code published by the Department of Health and Human Services, Food and Drug Administration, in violation of 7 Pa. Code §§46.3-46.4;
- D. Declaring that Defendants are or operate as a retail food facility without compliance with the Department's administrative procedures for facility access, plan submission and review, licensing and approval, and other requirements for operation of a retail food facility, in violation of 7 Pa. Code §§46.1101-46.1144;
- E. Permanently enjoining Defendants from operating any retail food facility unless or until they obtain a license for each such retail food facility that they operate, as required by 3 Pa.C.S.A. §5703;
- F. Permanently enjoining Defendants from operating any retail food facility without being

in full compliance with all inspection, sampling, analysis, sanitation, and cleanliness standards required by 3 Pa. C.S.A. §§5703-5704 & 5707-5711;

- G. Permanently enjoining Defendants from operating any retail food facility without being in full compliance with the Food Code published by the Department of Health and Human Services, Food and Drug Administration, as required by 7 Pa. Code §§46.3-46.4;
- H. Permanently enjoining Defendants from operating any retail food facility without being in full compliance with the Department's administrative procedures for facility access, plan submission and review, licensing and approval, and other requirements for operation of a retail food facility, in violation of 7 Pa. Code §§46.1101-46.1144; and
- I. Granting such other general, equitable and/or further relief as the Court deems just and proper.

COUNT IV

Unfair Trade Practices and Consumer Protection Law
(Attorney General v. All Defendants)

162. The foregoing is incorporated herein by reference.

163. Since at least 2014, and continuing through to the present, Defendants have engaged in trade and commerce in the Commonwealth of Pennsylvania by marketing, offering for sale, and selling their food Products, including milk, milk products, dairy products and raw milk and raw milk products.

164. Since at least 2014, and continuing through the present, Defendants have engaged in business operations in violation of the UTPCPL as follows:

- a. By marketing, offering for sale, and selling their Products, Defendants have implied the legal authority to do so, but have engaged in these activities without

obtaining the necessary permits, license and registration from the Department, thereby causing likelihood of confusion or misunderstanding as to the “approval or certification” of their Products, in violation of 73 P.S. §201-2(4)(ii).

- b. By marketing, offering for sale, and selling their Products, Defendants have represented, implicitly or explicitly, the legal authority to do so, but have engaged in these activities without obtaining the necessary permits, license and registration from the Department, thereby causing likelihood of confusion or misunderstanding as to the “certification by[] another” of their Products, in violation of 73 P.S. §201-2(4)(iii).
 - c. By marketing, offering for sale, and selling their Products, Defendants have represented, implicitly or explicitly, the legal authority to do so, but have engaged in these activities without compliance with Pennsylvania licensing and permitting laws; inspection, sampling and testing laws; marketing and labeling laws; and health and sanitation laws, thereby engaging in “fraudulent or deceptive conduct which creates a likelihood of confusion or misunderstanding,” in violation of 73 P.S. §201-2(4)(xxi); and
 - d. To avoid court orders and a consent decree entered in the 2019 Injunction Action, Defendants moved operations to adjacent property and created a fictitious entity using an unsuspecting employee as a cover for their operations, thereby passing off goods or services of Defendants as those of another entity, specifically “Bird-in-Hand Meats,” in violation of 73 P.S. §201-2(4)(i).
165. Defendants have willfully used the foregoing unlawful methods, acts and practices.

WHEREFORE, the Commonwealth of Pennsylvania respectfully requests that this Honorable Court issue an Order:

- A. Declaring that Defendants have engaged in trade and commerce in the Commonwealth of Pennsylvania by marketing, offering for sale, and selling their food Products, including milk, milk products, dairy products and raw milk and raw milk products, and have done so since at least 2014;
- B. Declaring that Defendants have explicitly or implicitly represented that they have the legal authority to market, offer for sale, and/or sell their products without obtaining the necessary permits, license and registration from the Department, thereby causing likelihood of confusion or misunderstanding as to the “approval or certification” of their Products, in violation of the Pennsylvania Unfair Trade Practices and Consumer Protection Law, 73 P.S. §201-2(4)(ii);
- C. Declaring that Defendants have explicitly or implicitly represented that they have the legal authority to market, offer for sale, and/or sell their products without obtaining the necessary permits, license and registration from the Department, thereby causing likelihood of confusion or misunderstanding as to the “certification by[] another” of their Products, in violation of the Pennsylvania Unfair Trade Practices and Consumer Protection Law 73 P.S. §201-2(4)(iii);
- D. Declaring that by moving their operations to an adjacent property and creating a fictitious entity using an unsuspecting employee as a cover for their operations, and thereby passing off goods or services of Defendants as those of another entity, specifically “Bird-in-Hand Meats,” Defendants have acted in violation of the

Pennsylvania Unfair Trade Practices and Consumer Protection Law, 73 P.S. §201-2(4)(i);

- E. Permanently enjoining these Defendants and all other persons acting on their behalf, directly or indirectly from violating the Pennsylvania Unfair Trade Practices and Consumer Protection Law, and any amendments thereto;
- F. Directing Defendants to pay the Commonwealth civil penalties of One Thousand Dollars (\$1,000.00) for each instance of past or present violations of the Unfair Trade Practices and Consumer Protection Law; granting such other general, equitable and/or further relief as the Court deems just and proper.

Dated: January 23, 2024

/s/ Heather Z. Kelly
HEATHER Z. KELLY (PA I.D. # 86291)
Senior Deputy Attorney General
JOHN M. ABEL (PA I.D. #47313)
Senior Deputy Attorney General
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Attorneys for Plaintiffs
COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF AGRICULTURE and
OFFICE OF ATTORNEY GENERAL

VERIFICATION

I, Sheri Morris, being duly sworn according to law, hereby state that I am Assistant Director of the Bureau of Food Safety and Laboratory Services with the Commonwealth of Pennsylvania, Department of Agriculture, and that I am authorized to make this Verification on behalf of the Plaintiff, Commonwealth of Pennsylvania Department of Agriculture. I verify that the facts in the foregoing Complaint are true and correct to the best of my knowledge, information or belief. I understand that the statements contained herein are subject to the penalties of 18 Pa.C.S. §4904 relating to unsworn falsification to authorities.

1-22-24

Date



Sheri Morris
Assistant Director

VERIFICATION

I, Mia Paone, being duly sworn according to law, hereby state that I am a Consumer Protection Agent with the Commonwealth of Pennsylvania, Office of Attorney General, Bureau of Consumer Protection, and that I am authorized to make this Verification on behalf of the Plaintiff, Commonwealth of Pennsylvania Office of Attorney General. I verify that the facts in the foregoing Complaint are true and correct to the best of my knowledge, information or belief. I understand that the statements contained herein are subject to the penalties of 18 Pa.C.S. §4904 relating to unsworn falsification to authorities.

1/23/2024
Date

Mia Paone
Mia Paone
Consumer Protection Agent

CERTIFICATION

I certify that this filing complies with the provisions of the *Case Records Public Access Policy of the Unified Judicial System of Pennsylvania* that require filing confidential information and documents differently than non-confidential information and documents.

COMMONWEALTH OF PENNSYLVANIA
OFFICE OF ATTORNEY GENERAL
MICHELLE A. HENRY
Attorney General

Date: January 23, 2024

By: /s/ Heather Z. Kelly
HEATHER Z. KELLY
SENIOR DEPUTY ATTORNEY GENERAL
PA Attorney I.D. No. 312897
15th Floor, Strawberry Square
Harrisburg, PA 17120
Telephone: 717.783.3146
hkelly@attorneygeneral.gov

EXHIBIT 1

Miller's Organic Farm
A Private Membership Association
648 Mill Creek School Rd.
Bird-in-Hand, PA 17505

March 2023 Specials

AVAILABLE ONLY WHILE EXCESS SUPPLY LASTS
To receive specials, please mention March Specials.

On Sale

Fermented Peas - 50% off
Frozen Asparagus - \$1 off

FREE Gift

Buffalo Jack Cheese - ½ lb.
when your purchase is \$100 or more.

Water Buffalo Broth

\$7.75 - pint
\$11.75 - quart

OUT OF STOCK ITEMS

**Buffalo Brain
**Buffalo Glands, Adrenal Thyroid Thymus
**Buffalo Fat
**Buffalo Marrow Bones
**Buffalo Liver
**Buffalo Heart

**Beef Brains
**Beef Bologna
**Beef Brisket
**Beef Sausage
**Beef Cubes
**Beef Fat
**Beef Hotdogs
**Beef Patties
**Beef Pet Food
**Chuck Roast
**Flank Steak
**Beef London Broil
**Beef Round
**Beef Brains
**Beef Shoulder
**Beef Sirloin
**Beef Skirt
**Beef Stew Meat
**Ground Beef w/Organs
**Beef bones/marrow
**Beef Glands, Adrenal, Thyroid, Thymus
**Beef Heart
**Beef Liver
**Beef Kidney
**Beef New York
**Beef Ribeye
**Beef Oxtail
**Beef Broth

**Beef Brains

**Ox Tail
**Tenderloin

**Pork Brains
**Pork Fat
**Pork Lard
**Pork Liver
**Pork Liverwurst
**Pork Organs
**Pork Ground
**Pork Roast
**Pork Steak
**Pork Spare Ribs
**Pork Spare Ribs (cured & salted)
**Pork Loin Roast
**Pork Breakfast Links
**Pork Pet Food
**Canadian Bacon

**Hot Dogs

**Whole & Half Duck

**Goat Cubes
**Ground Goat
**Goat Tallow
**Goat Colostrum

**All lamb
**Lamb Pet Food
**Mutton broth
**Sheep Colostrum
**Sheep Pet Food

**All Veal

**Turkey Liver
**Turkey Heart
**Turkey Sliced Breasts
**Turkey Necks
**Turkey Scrapple
**Turkey Tenderloin
**Ground Turkey

**Chicken Pies
**Chicken Wings
**Chicken Breasts w/bone
**Chicken Raw Fat
**Chicken Rendered Fat
**Chicken Whole Fryers
**Chicken Pet Food
**Chicken Feet
**Chicken Broth
**Ground Chicken
**Chicken Tenderloin

**Rabbit Liver
**Rabbit Heart
**Rabbit Kidney

**String Beans
**Fresh & Frozen Raspberries
**Blackberry Jam
**Blueberry Jam
**Blueberry Jelly
**Rhubarb Crumb Pie

MARCH 2023 Newsletter

Dear Members,

Warm winter greetings sent to you in the name of God our Creator who makes all things so well! This winter continues to be quite mild compared to other years, and the animals appreciate the warmth. The grass is already starting to green up and, yes, spring is just around the corner. This is my favorite time of the year!

As you may know, our attorney Robert Barnes has been promoting our raw milk now that he has experienced the great taste and health benefits. I can't wait to have him try the milk when the cows are out grazing the fresh green grass and herbs such as dandelions. The taste and color of the milk changes noticeably and it becomes an even richer, more nutrient dense food. That is nature at its best!

Robert and his team continue to work to find a resolution that will allow us to provide you once again with citric acid free pork, beef, and poultry. They have made a very reasonable offer to the government, and the government has said they want a reasonable resolution, so I am hopeful. We deeply appreciate your support and prayers.

On another note, we heard from several concerned members regarding the toxic chemical fire in Ohio, wondering if our farm was affected. The maps show the winds took the particles up into Canada, New York, and North and Western Pennsylvania, missing our area. We will continue to monitor the situation to ensure that we provide you with the healthiest, most nutritious grass-fed foods.

We just started a new food drop site in Las Vegas – very good news for any of you living in that area! This site will receive deliveries every four weeks. Click the HERE to see the list of co-ops and drop sites, including the new one, and see if there is a location near you.

Regarding shipping – UPS now has quicker ground shipping transit times to areas out west such as New Mexico, Arizona, and California. We will do our best to utilize this service to save shipping costs for members in those areas. Keep in mind that as the weather gets warmer we may need to expedite to 2 day shipping to keep the food fresh.

Wishing you all a healthy and happy March!

From Amos and everyone at Millers Organic Farm

March 2023



**Millers Organic Farm
Private Membership Association**

648 Mill Creek School Road, Bird-in-Hand, PA 17505 (717) 556-0672

Leave message with order.

When placing an order, please allow 24-36 hrs. for shipping to avoid a rush order fee.

Prices are subject to change without notice.

A2 Cow Milk & Dairy

A2 Butter

No salt - \$10.75/8oz, \$16.50/lb

Salted - \$11.00/8oz, \$17.00/lb

Cultured, no salt- \$11.50/8oz, \$17.50/lb.

Cultured, salted- \$10.75/8oz, \$18.00/lb

A2 Ghee - \$21.50/pt

A2 Buttermilk - \$4.50/quart

A2 Buttermilk, cultured - \$5.00/quart

A2 Cheese – Salted

Cheddar, Mild - \$10.75/lb., \$10.25/lb. for 5lb. block

Cheddar (no salt) - \$10.75/lb., \$10.25/lb. for 5lb. block

Cheddar, Sharp - \$10.75/lb., \$10.25/lb. for 5lb. block

Cheddar, Garlic - \$10.75/lb., \$10.25/lb. for 5-6 lb. block

Colby—\$10.75/lb., \$10.25/lb. for 5-6 lb. block

Farmers - \$10.75/lb., \$10.25/lb. for 5lb. block

Gouda—\$11.50/lb. (1 lb. or 5 lb. block)

Havarti - \$11.50/lb

Herbal Jack— \$10.75/lb., \$10.25/lb. for 5-6 lb. block

Monterey Jack – \$10.75/lb., \$10.25/lb. for 5-6 lb. block

Pepper Jack – \$10.75/lb., \$10.25/lb. for 5lb. block

Swiss- \$10.75/lb., \$10.25/lb. for 5lb. block

A2 Cheese – No Salt

Cheddar – \$10.75/lb., \$10.25/lb. for 5-6 lb. block

Cheddar, Sharp - \$10.75/lb., \$9.25/lb. for 5-6 lb. block

Fraiser – \$16.00/lb

Gouda – \$11.50/lb. (1 lb. or 5 lb. block)

Monterey Jack – \$10.75/lb., \$10.25/lb. for 5-6 lb. block

Swiss – \$10.75/lb., \$10.25/lb. or 5-6 lb. block

A2 Cottage cheese – w/o cream \$7.00/pt, w/ cream

\$8.50/pt

A2 Cottage Cheese in glass bottle – w/o cream \$9.50/pt,

w/ cream \$10.00/pt

Cheese Spread - \$8.00/8oz, \$11.50/lb.

A2 Cream

Heavy in glass bottle-\$11.50/pt, \$17.50/qt, \$32.50/
half gallon

Heavy - \$10.50/pt, \$16.50/qt, \$36.00/5lb. (2 ½ qt.)

Light in glass bottle - \$10.50/pt, \$16.00/qt, \$28.00/
half gallon

Light - \$9.50/pt, \$15.00/qt, \$24.00/hf gal

A2 Crème fraiche - \$11.00/pt, \$17.50/qt

A2 Cream Cheese - \$8.00/8oz, \$12.00/lb.

A2 Cow Milk & Dairy

continued

A2 Ice Cream (Willow Run Dairy) \$15.00/qt.

- Blackberry
- Butter Pecan
- Chocolate
- Chocolate Peanut Butter
- Maple Walnut
- Mint
- Strawberry
- Vanilla

A2 Kefir

- Mild - \$5.50/pt, \$8.50/qt
- Regular (mixed mild-strong) - \$5.50/pt, \$8.50/qt
- Strong - \$5.50/pt, \$8.50/qt
- Grains - strong \$5.00/tsp, mild \$9.50/tsp

A2 Milk

- A2 Milk - \$7.50/hf gal, (\$11.00/gal co-ops only)
- A2 Milk in glass bottle - \$11.00/half gal w/ handle, \$15.00/gal no handle - co-ops only
- A2 Colostrum, first - \$15.50/pt, \$26.50/qt.
- A2 Colostrum, regular - \$10.00/pt, \$19.50/qt
- Cinnamon Milk - \$7.00/qt., \$10.50/half gallon
- Chocolate Milk - \$9.50/half gallon; \$17.00/gal
- Custard, Egg - \$10.50/pt
- Eggnog - \$9.75/qt

A2 Sour Cream - \$11.00/pt, \$17.50/qt

A2 Whey - \$4.00/qt, \$6.75/hf gal.

A2 Yogurt

- A2 Yogurt - \$5.00/pt, \$7.50/qt
- A2 Yogurt, Greek - Plain - \$9.00/pt, \$12.50/qt
- Maple - \$9.50/pt, \$12.75/qt

A2 Yogurt Smoothies

- Blackberry - \$9.00/pt
- Raspberry - \$9.00/pt
- Strawberry - \$9.00/pt.
- Blueberry - \$9.00/pt.

A1 RAW COW MILK & DAIRY

Butter - (no salt) 14.50/lb.

A1 Ice Cream (Narvon Natural) \$14.00/qt.

- Blackberry
- Butter Pecan
- Chocolate
- Chocolate Peanut Butter
- Dandy Blend
- Maple Walnut
- Mint
- Strawberry
- Vanilla

RAW HARD COW CHEESE—SALTED

- Blue Cheese (soft)— \$16.75/lb.
- Cheddar, Sharp—\$8.75/lb., \$8.00/lb. for 5-6 lb. block
- Cheddar, Smoked - \$13.50/lb
- Mozzarella - \$13.50/lb.

RAW WATER BUFFALO MILK & DAIRY

(A2)

Butter, raw - \$15.50/ ½ lb.

Cheese

- Buffalo Jack - \$14.50/ ½ lb
- Buffeta - \$14.50/ ½ lb. block
- Camembert - \$14.00/6 oz. wheel
- Cheddar - \$14.50/ ½ lb. block
- Hot Jack—\$14.50/ 1/2 lb. block
- Cheese Spread, soft (sp. flavor: plain, garlic & chives, chipotle heat, herbal bliss)- \$8.75/8oz.
- Colostrum - \$25.50/pt.
- Cottage Cheese - \$15.50/pt.
- Cream - \$17.00/ 8 oz.
- Egg Custard - \$12.50/pt.
- Ice Cream - (van.) - \$23.50/qt.
- Kefir—\$1.00/pt.
- Milk - \$9.00/pt, \$13.00/qt, \$23.50/hf gal., (\$39.00/gal. co-ops only)
- Whey - \$9.00/qt.
- Yogurt - \$11.00/pt, \$16.00/qt.

GRASS-FED FARM FRESH FOODS

Our cows are on a high forage diet and are fed no grain to ensure a higher quality, more nourishing and better tasting food

No Sunday Sales

Farm Store Hours

Mon. – Fri. 8:00am – 4:30pm EST
Saturday by appointment

Shipping options include FedEx Ground and FedEx Overnight. Handling charges are \$8 - \$16 per box, depending on size and content (shipping not included). When shipping eggs with FedEx, please add \$1.00 per dozen eggs ordered.



RAW CAMEL DAIRY

Kefir - \$20.00/pt.
Milk – 1-10 pts.—\$17.00/pt,
11-30 pts.—\$14.50/pt.
31 or more pts.—\$13.00/pt.
Milk Soap - \$9.50/bar
Yogurt - \$20.00/pt.

RAW DONKEY DAIRY

\$27/pt.

RAW SHEEP MILK & DAIRY

Butter (salted & no salt) - \$23.00 /8oz.

Cheese

Feta (salt & no salt) - \$19.50/lb
Lucious Lamp - \$17.00/ ½ lb
Colostrum, Frozen- \$38.00/pt (Out of stock)
Cottage Cheese, Frozen - \$20.00/16 oz.
Cream, Frozen - \$19.00/8 oz.
Kefir - \$22.00/qt
Milk - \$16.00/qt, (loaded w/Vitamin C)
Milk, Frozen- \$20.00/ ½ gal.
Yogurt - \$22.00/qt
Frozen sheep quarts - \$13.00/qt.



IMPORTANT ORDERING INFORMATION

We use insulated boxes with ice-packs accordingly. **Prices subject to change without notice.** When placing an order, it is your responsibility to clearly specify exactly what you want as we have quite a few options such as: salted or unsalted cheese, frozen or unfrozen meats, washed or unwashed & unrefrigerated eggs, so please be aware of such options. We are not liable for any unclear orders but will use our best judgment. Thank you kindly for your support. We look forward to providing you with healthy food.

RAW GOAT MILK & DAIRY

11 Strain Probiotic Drink - \$8.50/pt
Butter (salted or no salt) - \$12.50/4oz
Buttermilk - \$10.75/pt.

Cheese

Bubble on the Ridge Cheese - \$10.00/ ½ lb.
Cheddar (hard) (salted)— \$17.00/lb.
Chevre, Garlic (no salt) (soft)—\$10.50/8oz
Chevre, Plain (salted & no salt) (soft)—\$10.50/8 oz.
Feta (salted & no salt) - \$17/ lb. (Available in 1lb.
and ½ lb.; please specify.)
Goat garlic and chive cheddar cheese - \$17.00/lb.
Colby Cheese (salted) - \$17.50/lb.
Gouda Cheese (salted) - \$17.50/lb.
Colostrum—\$38.00/pt. (out of stock)
Cottage Cheese - \$14.50/lb.
Cream - \$18.50/8oz
Ice Cream (Vanilla, Strawberry, Chocolate, Maple) -
\$14.50/pt.
Kefir - \$13.50/qt
Milk - \$8.00/qt, \$12.00/ ½ gallon, (\$20/gallon; Co-ops only)
Milk in glass bottle - \$16.00/ ½ gallon
Soap, Goat Milk - \$5.50/bar
Soap, Unscented Oatmeal Goat - \$5.50/bar
Soap, Liquid, Goat—\$10.25/8 oz.
Whey - \$8.00/qt
Yogurt - \$12.50/qt
Yogurt, Greek (Plain) - \$10.00/pt., \$17.00/qt.



Phone: (717) 556-0672

Leave message with order.

**When placing an order, please allow 24-36 hrs. for shipping to
avoid a rush order fee.**



Poultry & Meats

CHICKEN - *Soy-FREE* (OUT OF STOCK BY USDA ENCROACHMENTS)

Breasts, w/bone (1/pk, avg. 1 ½ lb.) - \$12.50/lb. (out of stock)

Breasts, boneless (1/pk. avg. 1lb.) - \$15.00/lb. (out of stock)

Broth - \$7.50/pt, \$10.75/qt. (out of stock)

Eggs, Fertile - \$8.00/doz.

Fat, Raw - \$5.00/lb. (out of stock)

*Fat, Rendered - \$6.75/pt., 9.75/qt. (out of stock)

Fryers, Whole (avg. 4-6 lb.) - \$ 6.95/lb. (out of stock)

Fryers, Smoked (avg. 4-6 lb.) - \$8.95/lb. (out of stock)

Gizzard - \$7.75/lb. (out of stock)

*Hearts - \$ 24.50/lb. (out of stock)

Legs & Thighs (2/pk, avg 1 ½-2lb) - \$ 7.75/lb. (out of stock)

*Liver - \$22.50/lb. (out of stock)

Necks & Backs (1/pk, avg 2 lb) - \$ 7.75/lb. (out of stock)

Pet Food: Ground - \$7.75/lb. (out of stock)

Pie, Chicken - \$13.00/6 in., \$18.00/9 in. (out of stock)

Soup, Chicken Noodle - \$8.00/pt, \$13.50/qt. (out of stock)

Soup, Liver - \$13.75/pt, \$22.00/qt. (out of stock)

Stock

Feet - \$ 1.50/ea. (out of stock)

Heads - \$2.00/ea. (out of stock)

Whole Bird (avg. 3 lb.) - \$5.00/lb. (SALE: \$1 off/lb.)

Tenderloin (no bone or skin) - \$25.50/lb. (out of stock)

Wings - \$ 6.75/lb. (out of stock)

Chicken, ground - \$16.50/lb. (out of stock)

CHICKEN - *Corn & Soy FREE* (OUT OF STOCK BY USDA ENCROACHMENTS)

Breasts, w/bone - \$13.50/lb. (out of stock)

Breasts, boneless - \$15.00/lb. (out of stock)

Eggs - \$10.00/doz.

Eggs, pullets - \$5.50/doz.

Fryers, Whole - \$7.95/lb. (out of stock)

Legs & Thighs - \$8.75/lb. (out of stock)

Necks & Backs - \$7.75/lb. (out of stock)

Tenderloin - \$26.50/lb. (out of stock)

Wings - \$7.75/lb. (out of stock)

TURKEY - *Soy-FREE* (OUT OF STOCK BY USDA ENCROACHMENTS)

Backs - \$6.75/lb. (out of stock)

Breast - \$13.50/lb. (out of stock)

Breast, Ground, Smoked—\$13.50/lb. (out of stock)

Breast, Smoked, Sliced - \$16.50/lb. (out of stock)

Broth - \$6.50/pt, \$9.75/qt. (out of stock)

Gizzards - \$7.50/lb. (out of stock)

Heart - \$14.50/lb. (out of stock)

Legs - \$9.00/lb. (out of stock)

*Liver - \$18.50/lb. (out of stock)

Necks - \$6.75/lb. (out of stock)

Sausage - \$16.50/lb. (out of stock)

Scraple - \$9.50/lb. (out of stock)

Tenderloin - \$18.50/lb. (out of stock)

Thighs - \$13.50/lb. (out of stock)

Turkey, Ground - \$14.50/lb. (out of stock)

Turkey, Whole - \$6.25/lb. (out of stock)

Turkey, Whole, Smoked - \$7.75/lb. (out of stock)

Wings - \$7.75/lb. (out of stock)

DUCK (OUT OF STOCK BY USDA ENCROACHMENTS)

Broth - \$11.50/pt., \$19.75/qt. (out of stock)

Duck, Half - \$10.50/lb. (out of stock)

Duck, Whole - \$9.50/lb. (out of stock)

Eggs - \$11.00/doz. - limited supply available



GRASSFED BEEF (OUT OF STOCK BY USDA ENCROACHMENTS)

Beef, Ground \$9.00/lb., 2lb. fam.Pk - \$8.00/lb. (out of stock)

Beef, Ground w/ organs - \$14.00/lb. (out of stock)

)

Bologna, All Beef- \$9.50/lb. (out of stock)

Bones

Knuckle - \$5.00/lb. (out of stock)

Marrow - \$18.50/lb. (out of stock)

Regular - \$4.00/lb. (out of stock)

Soup - \$10.75/lb. (out of stock)

*Brains - \$27.25/half lb. (out of stock)

Brisket - \$12.50/lb. (out of stock)

Broth - \$7.50/pt, \$10.75/qt. (out of stock)

Cubes - \$11.50/lb. (out of stock)

Fat, Raw - \$4.50/lb. (out of stock)

Glands

Adrenal - \$32.50/lb. (out of stock)

Thymus- \$32.50/lb. (out of stock)

Thyroid - \$32.50/lb. (out of stock)
Heart - \$13.50/lb. (out of stock)
Hotdogs, All Beef - \$10.50/lb. (out of stock)
Jerky - \$8.75/4 oz. (out of stock)
*Kidney - \$16.50/lb. (out of stock)
Liver - \$18.50/lb. (out of stock)
Patties, Ground Beef - \$10.00/lb. (out of stock)
Pet Food: ground beef & organs - \$6.75/lb. - Frozen (out of stock)
Ribs - \$6.50/lb. (out of stock)

Roasts

Chuck - \$8.50/lb. (out of stock)

Eye Round - \$8.50/lb. (out of stock)

Round - \$9.50/lb. (out of stock)

Rump - \$10.50/lb. (out of stock)

Sausage - \$9.00/lb. (out of stock)

Steaks

Chip Steak - \$11.50/lb. (out of stock)

Delmonico - \$15.00/lb. (out of stock)

Flank - \$20.50/lb. (out of stock)

London Broil - \$11.50/lb. (out of stock)

New York - \$18.50/lb. (out of stock)

Rib Eye - \$19.50/lb. (out of stock)

Round - \$10.00/lb. (out of stock)

Shoulder w/ small marrow bone- \$9.00/lb. (out of stock)

Sirloin - \$11.50/lb. (out of stock)

Sirloin Tip - \$11.50/lb. (out of stock)

Skirt - \$20.50/lb. (out of stock)

T-bone - \$20.50/lb. (out of stock)

Stew Meat - \$9.50/lb. (out of stock)

*Tail, Ox, avg wt 1-3lbs. @ \$18.50/lb. (out of stock)

Tallow - \$11.00/qt. (out of stock)

Tenderloin - \$31.50/lb. (out of stock)

VEAL (OUT OF STOCK BY USDA ENCROACHMENTS)

Bones, Knuckle - \$5.50/lb. (out of stock)

Bones, Soup - \$11.50/lb. (out of stock)

Broth - \$7.50/pt, \$10.75/qt. (out of stock)

Cubes - \$12.50/lb. (out of stock)

Ground Veal - \$11.50/lb. (out of stock)

Heart - \$14.00/lb. (out of stock)

Liver - \$32.50/lb. (out of stock)

Roast, Chuck - \$10.50/lb. (out of stock)

Steak

Flank - \$18.50/lb. (out of stock)

New York - \$19.50/lb. (out of stock)

Ribeye - \$20.50/lb. (out of stock)

Sirloin - \$16.50/lb. (out of stock)

Skirt - \$18.50/lb. (out of stock)

Round - \$11.50/lb. (out of stock)

Tenderloin - \$29.50/lb. (out of stock)





MILK-FED PORK (OUT OF STOCK BY USDA ENCROACHMENTS)

Bacon

- Canadian (cured & salted)- \$13.50/lb. (out of stock)
- Canadian (raw & unsalted) - \$12.50/lb. (out of stock)
- Country (cured-salted) - \$12.50/lb. (out of stock)
- Country (raw & unsalted) – \$11.50/lb. (out of stock)
- Cured & salted - \$15.50/lb. (out of stock)
- Raw & unsalted - \$13.50/lb. (out of stock)
- Bologna, Pork Roll - \$8.50/lb
- Brains - \$15.25/half lb. (out of stock)
- Broth - \$5.00/pt, \$7.50/qt (out of stock)
- Chops - \$11.25/lb. (out of stock)
- Fat, Raw - \$5.50/lb. (out of stock)

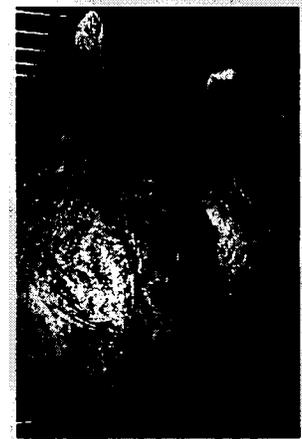
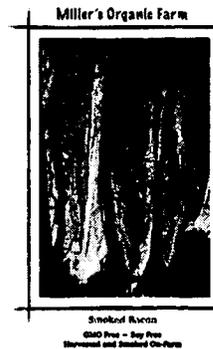
Ham

- Cured and Salted Sliced - \$8.50/lb. (out of stock)
- Raw, sliced - \$7.00/lb. (out of stock)
- Whole, cured-salt, avg wt 7-10 lbs @\$8/lb. (out of stock)
- Steak, Cured/ Salted (3/4" th) – \$8/lb. (out of stock)

- Ham & Bacon, Ground (cured, salt) - \$7.50/lb. (out of stock)
- Ham Hock, raw & unsalted - \$8.00/lb. (out of stock)
- Ham Hock, cured & salted - \$9.00/lb. (out of stock)
- Hot Dogs (pork & beef, no nitrates)-\$9.50/lb. (out of stock)
- *Lard - \$7.00/pt, \$10.50/qt , \$15.50/5 lb. (out of stock)
- Liver - \$7.50/lb. (out of stock)
- Liverwurst - \$9.50/lb. (out of stock)
- Organs - \$7.50/lb. (out of stock)
- Pet Food (ground pork w/organs) - \$6.25/lb.—Frozen (out of stock)
- Pork, Ground - \$8.00/lb. (out of stock)
- Pork, Ground w/ organs - \$8.25/lb. (out of stock)
- Roast, avg. wt. 2 - 4 lbs. @ \$9.00/lb. (out of stock)
- Roast, Loin avg. wt 2-3lb. - \$10.50/lb. (out of stock)

Sausage

- Links, Breakfast - \$9.50/lb. (out of stock)
- Links, Italian Breakfast - \$10.00/lb. (out of stock)
- Liverwurst - \$10.50/lb. (out of stock)
- Loose - \$8.50/lb. (out of stock)
- Rope - \$9.00/lb. (out of stock)
- Scrapple - \$9.50/lb. (out of stock)
- Shoulder, w/bone (8-12 lb.) - \$8.50/lb. (out of stock)
- Spare Ribs - \$9.50/lb. (out of stock)
- Spare Ribs (cured, salted) - \$11.50/lb. (out of stock)
- Steak - \$9.00/lb. (out of stock)



LAMB (OUT OF STOCK BY USDA ENCROACHMENTS)

- Brains - \$24.25/half lb. (Out of stock)
- Broth - \$7.50/pt, \$9.75/qt
- Chops - \$25.50/lb. (out of stock)
- Cubes - \$18.00/lb. (Out of stock)
- Lamb, Ground - \$14.00/lb. (Out of stock)
- Lamb, Ground w/ organs - \$16.50/lb. (Out of stock)
- Leg of Lamb (approx. wt 3 lb) - \$17.50/lb (Out of stock)
- Liver - \$14.00/lb. (Out of stock)
- Pet Food - \$10.00/lb. (Out of Stock)
- Roast - \$18.50/lb. (Out of stock)
- Stew Meat (cubes) - \$18.00/lb. (Out of stock)
- Tallow - \$11.00/pt. (Out of stock)

GOAT (OUT OF STOCK BY USDA ENCROACHMENTS)

- Broth - \$10.50/pt., \$18.75/qt. (out of stock)
- Chops - \$27.50/lb. (out of stock)
- Cubes - \$18.00/lb. (out of stock)
- Goat, Ground - \$14.00/lb. (out of stock)
- Goat, Ground w/ organs - \$16.00/lb. (out of stock)
- Roast - \$20.50/lb. (out of stock)
- Tallow - \$13.00/pt. (out of stock)

MUTTON (OUT OF STOCK BY USDA ENCROACHMENTS)

- Broth - \$6.50/pt., \$9.75/qt. (out of

Stock)

Sausage - \$13.50/lb

RABBIT

- Heart & Kidney - \$20.50/lb. (out of stock)
- Liver - \$20.50/lb. (out of stock)
- Whole (3 lb.) - \$16.50/lb.

SEAFOOD

- Broth, Fish - \$10.50/pt, \$15.75/qt
- Haddock, Icelandic - \$15.50/lb
- Salmon, Alaska Wild-whole fillets - \$19.50/lb., portions \$22.50/lb.

WATER BUFFALO MEAT



WATER BUFFALO

Bacon - \$22.50/lb
Bologna - \$12.50/lb

Bones

Knuckle - \$8.00/lb. (Out of stock)
Marrow - \$22.50/lb
Regular - \$7.50/lb
Soup - \$13.75/lb
*Brains - \$29.25/half lb.
Brisket - \$15.50/lb
Broth - \$7.75/pt., \$11.75/qt.
Buffalo, Ground - \$13.00/lb.
Buffalo, Ground w/ Organs - \$17.00/lb.
Cubes - \$15.00/lb
Fat, Raw - \$8.00/lb.

Glands

Adrenal - \$34.50/lb. (Out of stock)
Thymus - \$34.50/lb. (Out of stock)
Thyroid - \$34.50/lb. (Out of stock)
Heart - \$16.50/lb.
Hot Dogs - \$13.50/lb. (Out of stock)
Jerky - \$11.75/ 4 oz. (Out of stock)
Kidney - \$19.50/lb.
Liver - \$21.50/lb.
Pet Food - \$9.75/lb.
Ribs - \$9.50/lb. (Out of stock)

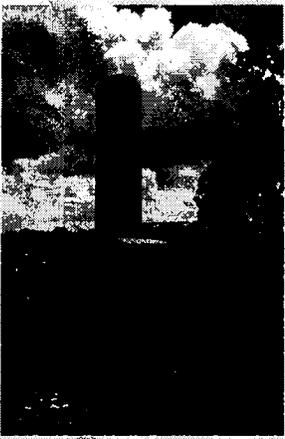
Roasts

Chuck - \$11.50/lb
Eye Round - 11.50/lb.
Round - \$12.50/lb.
Rump - 13.50/lb
Sausage - \$13.00/lb

Steaks

Chip Steak - \$14.50/lb
Delmonico - \$18.00/lb
Flank - \$24.50/lb
London Broil - \$14.50/lb.
New York - \$22.50/lb.
Ribeye - \$22.50/lb. (Out of stock) =
Round - \$14.00/lb.
Shoulder w/ sm. marrow bone - \$14.00/lb.
Sirloin—\$14.50/lb
Sirloin Tip - \$13.50/lb.
Skirt - \$24.50/lb
T-bone - \$24.50/lb.
Stix - \$10.00/ ½ lb
*Tail - \$22.50/lb. (Out of stock)
Tallow - \$11.00/pt., \$17.50/qt (Out of Stock)
Tenderloin - \$34.50/lb
Tongue - \$14.50/lb





Nuts, Fruits, & Veggies

CRISPY NUTS (12 oz bag)

Almonds - \$17.00
Black Walnuts - \$17.00
Brazil Nuts - \$16.00
Cashews - \$14.00
English Walnuts - \$18.00
Honey & Spice Nuts - \$18.00
Pecans - \$17.00
Pumpkin Seeds - \$9.00
Seasoned Mix - \$18.00
Sunflower Seeds - \$9.00
Sweet & Spicy Nut Mix - \$18.00
Trail Mix - \$18.00

FRUITS

Apple Butter - \$7.00/8 oz., \$11.00/16 oz
Applesauce - \$7.75/pt
Blackberries, Frozen - \$7.00/pt
Blueberries, Frozen - \$7.00/pt.
*Jam, Pepper - \$7.50/ 8 oz.
Jelly - \$7.00/8 oz
 Blackberry (out of Stock)
 Blueberry (out of Stock)
 Strawberry
Mulberry Puree - \$10.50/pt., \$15.50/qt.
Raspberries, Fresh - \$8.00/pt. (out of stock)
Raspberries, Frozen - \$8.00/pt. (out of stock)
Strawberries, Pureed, Frozen - \$10.00/pt.

VEGGIES

Asparagus, Frozen - \$8.00/lb
Beans, String, Frozen - \$12.00/lb. (out of stock)
Beets, Pickled - \$6.50/pt, \$9.50/qt
Carrots, Fresh - \$3.50/lb.
Corn, Frozen - \$12.00/lb.
Okra, Pickled - \$8.50/pt, \$13.50/qt
Onions, Fresh - \$3.50/lb.
Peas, Green, Frozen - \$16.50/lb.
Pickles, Garlic Dill - \$7.50/pt., \$11.50/qt (out of stock)
Puree, Asparagus - \$8.50/pt
Puree, Tomato - \$3.50/8 oz., \$6.75/16 oz.
Relish, Zucchini - \$8.75/pt
Rhubarb, Frozen - \$6.00/lb
Sweet Potatoes - \$3.50/lb.
Veggie Box, Lancaster Farm Fresh (Med.) - \$42.00/box

FERMENTED VEGGIES

Beet Kvass - \$7.00/qt
Beets - \$6.50/pt, \$9.50/qt
Cabbage Juice, Green - \$11.50/qt
Carrots & Onions - \$7.75/pt
Chow Chow - \$8.50/pt., \$15.50/qt.
Daikon Radish - \$7.75/pt.
Daikon Radish Juice - \$7.50/pt. (Out of stock)
Garlic - \$13.50/8oz.
Horseradish - \$7.75/8oz
Ketchup, Amos - \$8.00/8oz, \$12.50/qt
*Kimchee - \$9.50/pt; \$15.50/qt.
Kimchee Juice - \$12.50/qt
Onions - \$6.75/pt
Peas - \$9.00/pt.
Pickles, Bread & Butter - \$6.75/pt, \$9.50/qt
Pickles, Dill Whole - \$6.75/pt, \$9.50/qt
Relish, Pickle - \$6.75/pt; \$9.75/qt
Salsa, Tomato - \$6.75/pt
Salsa, Hot - \$6.75/pt
Sauerkraut, Green - \$6.75/pt, \$10.75/qt
Sauerkraut, Red - \$5.75/pt., \$9.75/qt.
Vege Mix - \$6.50/pt

Bakery & Drinks

BAKERY

Breads

- Bread, Sliced, any type – add \$3.50/loaf
- Cinnamon-Raisin Wheat, Soaked - \$9.00/loaf
- Einkorn - \$11.00/loaf
- Pumpkin - \$9.00/loaf
- Rye, Sourdough - \$9.00/loaf
- Spelt, Sprouted - \$11.00/loaf
- Wheat, Sourdough - \$9.00/loaf
- Wheat, Sourdough Heritage - \$10.00/loaf
- Zucchini – \$9.00/loaf

Pies

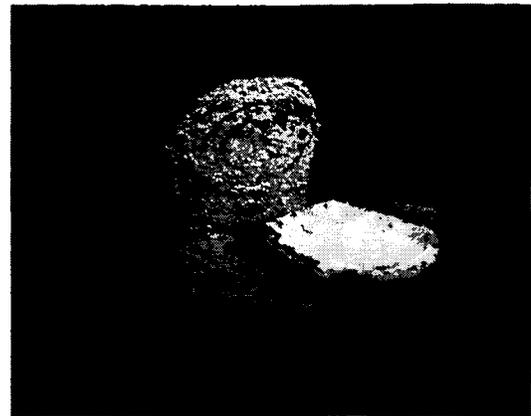
- Shoofly (8") - \$13.50
- Apple (8") - \$13.50
- Rhubarb Crumb Pie - \$14.50 (Out of stock)
- Cake, Angel Food - \$10.50/ ½ cake

Muffins

- Blueberry, Gluten Free - \$9.50/ ½ doz.
- Coconut, Gluten Free - \$9.50/ ½ doz.
- Lemon-Poppy, Gluten Free - \$9.50/ ½ doz.
- Vanilla-Pecan, Gluten Free - \$9.50/½ doz.

Cookies

- Almond Butter Chocolate Chip - \$8.50/ ½ doz.,
\$14.00/doz. (not 100% organic)
- Coconut Choc. Chip Cookies - \$7.00/ ½ doz, \$11.50/doz.
- Oatmeal Raisin Cookies - \$8.50/ ½ doz., \$12.00/doz.



Farm Baked - Cinnamon Raisin Bread

Organic fresh ground whole wheat – Organic unenriched unbleached wheat
Raw honey – Lard – Organic raisins – Real salt
Raw vinegar – Yeast – Cinnamon

DRINKS

- Blackberry Juice - \$22.00/qt
- Carrot Juice, Frozen - \$13.00/pt
- Cider, Raw Pear - \$18.50/ ½ gal.
- Cider, Raw Apple - \$11/qt., \$16.00/ ½ gal, \$22.00/gal.
- Frozen
- Cider, Raw Apple - \$11/qt., \$16.00/ ½ gal, \$22.00/gal.
- Fresh
- Ginger Ale - \$7.00/qt
- Grape Juice, Frozen Cold Pressed-\$15.00/ ½ gal (Out of Stock)
- Jun - \$7.00/qt.

Kefir, Water - \$10.00/qt

- Apple
- Blueberry
- Cherry
- Cranapple
- Echinacea
- Ginger
- Grape
- Mango
- Plain
- Kombucha, Cranberry - \$7.00/qt
- Kombucha Tea - \$7.00/qt
- Kvass, Fermented Sourdough - \$13/2liters (out of stock)
- Lemonade, Fermented - \$6.00/qt
- Raspberry Juice, Red - \$22.00/qt

Staples, Treats & Misc.

STAPLES

Extract, Vanilla - \$24.75/4 oz.

Honey

Clover - \$14.75/pt

Miller's Raw - \$17.00/pt.

Orange Blossom - \$10.00/16 oz., \$31.50/5 lb.

Really Raw - \$15.75/16 oz., \$46.75/5lb.

Wild Flower - \$10.00/17oz, \$27.50/5lb.

Maple Syrup (Grade A) - \$16.50/qt.

Maple Syrup (Grade B) - \$18.50/qt, \$62.00/gal.

Noodles, Sprouted Spelt - \$13.50/lb.

Oil

Oil, Coconut - \$31.50/qt., \$62.00/gal (raw, cold-pressed, Philippine)

Oil, Olive "Dancing Goat" - \$24.00/16.9 oz.

Saffron Spice, Dried - \$13.00/.05 gram

Salt, Celtic Sea - coarse \$9.75/lb., fine \$13.25/lb.

Salt, Herb - \$7.75/4 oz.

Salve

Chickweed & Plantain - \$11.00/ 1oz, \$26.00/ 4oz.

Complete Tissue Healing - \$13.00/ 1oz., \$30.00/4 oz.

Supertonic, Homemade - \$22.75/4 oz.

Vinegar, Apple Cider - \$10.25/qt.

TREATS

Butters

Almond, Raw - \$15.50/8oz, \$26.50/16oz

Cashew - \$16.00/8oz., \$27.00/pt

Peanut, Homemade - \$9.00/8oz, \$12.50/pt

Chips

Potato, Amos brand - \$8.50/hf lb, \$13.00/lb

Potato, non-organic Zerbe - \$9.50/1lb. bag

Sweet Potato - \$9.75/ ½ lb.

Granola, Homemade - \$13.50/lb.

Mayonnaise, Homemade - \$6.50/pt

Mushroom, Kombucha - \$6.50/8oz

Mushroom Kit, Jun - \$6.75/8oz.

Mustard, Honey - \$5.75/8oz

Popcorn Kernels, Chemical Free Small - \$7.50/lb.

GREEN PASTURES BLUE ICE

Butter Oil (plain) 8oz - \$60.00

Butter Oil Capsules(120 caps) - \$43.90

Ghee, Coconut - \$27.50/27oz, \$60.00/gal

Cod Liver Oil & Butter Oil, Royal Blend Fermented (plain, cinnamon)(8oz) - \$47.50

Cod Liver Oil & Butter Oil, Royal Blend Fermented Capsules (120 caps) - \$44.50

Cod Liver Oil, Blue Ice Fermented (cinnamon, orange, plain)(8oz)-\$41.50

Cod Liver Oil Capsules, Blue Ice Fermented (120 caps) - \$31.50

Skate Liver Oil, Fermented (orange)(8oz) - \$40.50

Coconut Oil - \$31.50/27oz., \$62.00/gallon

ROSITA REAL FOODS

Cod Liver Oil, Extra Virgin - \$51.00/5 oz.

Cod Liver Oil Capsules, Extra Virgin - \$49.50/ 90 caps

Phone: (717) 556-0672

Leave message with order.

When placing an order, please allow 24-36 hrs. for shipping to avoid a rush order fee.

MILLER'S ORGANIC FARM
(A Private Membership Association)
648 Mill Creek School Rd.
Bird-in-Hand, PA 17505
(717) 556-0672
Product Ingredients

COW DAIRY

Yogurt: Milk, culture
Plain Greek Yogurt: Milk, culture
Maple Greek Yogurt: Milk, maple syrup, culture
Kefir: Fermented milk
Cottage Cheese: Milk, culture
Red Raspberry Smoothie – Greek yogurt, red raspberry juice, maple syrup, coconut oil, vanilla extract, cream
Black Raspberry Smoothie – Greek yogurt, naturally raised black raspberry juice, maple syrup, coconut oil, vanilla extract, cream
Raw Cheese Spread – cream, butter, sour cream, milk, baking soda, celtic sea salt
Eggnog – Milk, cream, eggs, raw honey, nutmeg, cinnamon
Sour Cream – Raw cream with a powdered culture added
Crème Fraiche – Is a European name for sour cream and uses cultured buttermilk
Cream Cheese – Cream, rennet, water
Chocolate Milk – raw milk, cocoa powder, maple syrup
Cinnamon Milk – Raw milk, honey, cinnamon, vanilla extract

COW CHEESES

Mild Cheddar Cheese: Milk, culture, veal rennet, celtic sea salt
Sharp Cheddar Cheese: Milk, culture, veal rennet, celtic sea salt
Swiss Cheese: Milk, culture, veal rennet, culture propionic, celtic sea salt
Monterey Jack Cheese: Milk, culture, veal rennet, celtic sea salt
Herbal Jack Cheese: Milk, culture, veal rennet, Italian seasoning (oregano, marjoram, thyme, rosemary, basil, sage), celtic sea salt
Farmers Cheese: Milk, culture, veal rennet, celtic sea salt
Pepper Jack Cheese: Milk, culture, veal rennet, bell pepper flakes, cayenne pepper flakes, celtic sea salt
Colby Cheese: Milk, culture, veal rennet, celtic sea salt
Colby Dill Cheese: Milk, culture, veal rennet, dill, celtic sea salt
Garlic Cheddar Cheese: Milk, culture, veal rennet, garlic, chives, celtic sea salt
Mushroom Leek Cheese: Milk, vegetable rennet, culture, organic baby bella mushroom, organic leek, celtic sea salt
Mozzarella Cheese: Milk, culture, veal rennet, celtic sea salt
Blue Cheese: Milk, vegetable rennet, culture, celtic sea salt
Smoked Cheddar Cheese: Milk, culture, veal rennet, celtic sea salt
Horseradish Cheese: Milk, veal rennet, horseradish, celtic sea salt
Gouda Cheese: Milk, veal rennet, celtic sea salt
Havarti Cheese: Milk, veal rennet, celtic sea salt

ICE CREAM

Willow Run Dairy Chocolate – Cream, milk, honey, egg yolks, 100% plantation chocolate, celtic sea salt,
Willow Run Dairy Vanilla – Cream, milk, honey, egg yolks, vanilla extract, celtic sea salt
Willow Run Dairy Chocolate Peanut Butter – Cream, milk, honey, egg yolks, cocoa powder, peanut butter, celtic sea salt
Willow Run Dairy Ginger – Cream, milk, honey, egg yolks, fresh ginger root, celtic sea salt, ground ginger
Willow Run Dairy Strawberry – Cream, milk, honey, egg yolks, pureed strawberries, celtic sea salt
Willow Run Dairy Blackberry – Cream, milk, honey, egg yolks, blackberries, celtic sea salt
Willow Run Dairy Butter Pecan – Cream, milk, honey, egg yolks, crispy pecans, butter, celtic sea salt
Willow Run Dairy Mint – Cream, milk, honey, egg yolks, peppermint extract, celtic sea salt
Willow Run Dairy Maple Walnut – Cream, milk, maple syrup, walnuts, egg yolks, celtic sea salt
Narvon Natural Acres Chocolate – Cream, milk, eggs, maple syrup, unsweetened chocolate, real salt
Narvon Natural Acres Vanilla – Cream, milk, eggs, maple syrup, arrowroot powder, vanilla, real salt
Narvon Natural Acres Strawberry – Cream, milk, eggs, maple syrup, real salt, strawberries, organic cane sugar
Narvon Natural Acres Butter Pecan – Cream, milk, eggs, crispy pecans, maple syrup, arrowroot powder, real salt
Narvon Natural Acres Mint - Cream, milk, eggs, maple syrup, real salt, organic peppermint extract, arrowroot powder
Narvon Natural Acres Dandy Blend – Cream, milk, eggs, maple syrup, dandy blend, arrowroot powder, real salt
Narvon Natural Acres Raspberry – Cream, milk, eggs, raspberry juice, maple syrup, arrowroot powder, real salt
Pumpkin Cheesecake – Pumpkin, cinnamon, nutmeg, cream, maple syrup, eggs, celtic sea salt

SHEEP DAIRY

Yogurt: Milk, culture
Kefir: Fermented milk
Feta Cheese: Milk, culture, celtic sea salt
Cottage Cheese: Milk, cream, celtic sea salt, culture
Lucious Lamb Sheep Cheese: Milk, culture, vegetable rennet, celtic sea salt
Ewes Dream Sheep Cheese: Milk, culture, veal rennet, lipse, celtic sea salt
Mild Shepherd's Delight Cheese: Milk, culture, veal rennet, celtic sea salt

GOAT DAIRY

Cottage Cheese: Milk, cream, culture, vegetable rennet
Yogurt: Milk, culture
Kefir: Fermented milk
Feta Cheese: Milk, culture, vegetable rennet, celtic sea salt
Chevre Cheese: Milk, culture, veal rennet
Cheddar Cheese: Milk, vegetable rennet, culture, celtic sea salt
Greek Yogurt: Milk, culture
Chevre Garlic & Chives Cheese: Milk, garlic powder, chives, culture, veal rennet
Goat Milk Soap (unscented): Olive oil, coconut oil, safflower oil, palm oil, beeswax, wheat germ, grape seed, honey, borax, glycerin, grapefruit seed extract
Liquid Goat Soap: Distilled water, goat milk, saponified oils from olive, coconut, castor, palm, safflower, grapeseed, borax, organic sugar, glycerin, honey, essential oils, potassium carbonate

WATER BUFFALO DAIRY

Yogurt: Milk, culture
Egg Custard: Milk, egg yolks, maple syrup, vanilla extract, celtic sea salt
Kefir: Fermented milk
Cottage Cheese: Milk, culture
Ice Cream: Cream, milk, honey, egg yolks, vanilla extract, celtic sea salt, butter

WATER BUFFALO CHEESES

Mozzarella Cheese: Milk, vegetable rennet, culture, Himalayan sea salt
Buffeta: Milk, vegetable rennet, celtic sea salt, culture, lipase
Camden Buff: Milk, rennet, culture, celtic sea salt
Cheddar: Milk, vegetable rennet, celtic sea salt, culture
Deli Delight: Milk, vegetable rennet, celtic sea salt, culture
Hot Jack: Milk, vegetable rennet, culture, cayenne pepper, crushed pepper, celtic sea salt
Cave-Aged: Milk, vegetable rennet, celtic sea salt, culture
Plain Soft Buffalo Cheese: Buffalo milk, culture, rennet, celtic sea salt
Garlic & Chives Soft Buffalo Cheese: Buffalo milk, culture, rennet, celtic sea salt, organic garlic & chives
Chipotle Heat Soft Buffalo Cheese: Buffalo milk, culture, rennet, celtic sea salt, organic chipotle spice
Herbal Bliss Soft Buffalo Cheese: Buffalo milk, culture, rennet, celtic sea salt, garlic, basil, oregano, red pepper flakes, olive oil

WATER BUFFALO MEAT

Buffalo Jerky: Water buffalo, black pepper, celtic sea salt, chili flakes, onion powder
Buffalo Bacon: Water buffalo, celtic sea salt, black pepper, water, apple cider vinegar, baking soda

TURKEY

Turkey Scrapple: Turkey, corn meal, sprouted spelt flour, quick oats, whey, celtic sea salt, black pepper
Turkey Sausage: Turkey sausage, celtic sea salt, black pepper, sage

CHICKEN

Chicken Pie – Soy free Chicken, chicken broth, lard, butter, unbleached unenriched organic wheat flour, potatoes, peas, onions, carrots, celery, celtic sea salt, pepper, celery salt, seasoned salt, MSG free
Chicken Liver Soup – Soy free Chicken broth, soaked brown rice, celery, carrots, soy free chicken, soy free chicken liver, brewers yeast, basil leaves, celtic sea salt

MUTTON & LAMB

Mutton Sausage – Ground mutton, celtic sea salt, black pepper, sage

BEEF

Beef Bologna, sliced: Beef, fermented salsa, sucanat, black pepper, red pepper, dry mustard, onion powder, garlic powder

All Beef Hot Dog: Beef, celtic sea salt, dry mustard, paprika, coriander, black pepper, garlic powder, raw honey, PHR (natural phosphate replacement)

Hot Dog: 75% beef, pork lard, celtic sea salt, dry mustard, paprika, coriander, black pepper, garlic powder, raw honey, PHR (natural phosphate replacement)

Beef Jerky: Beef, black pepper, celtic sea salt, chili flakes, onion powder

PORK

Italian Sausage Links – Pork, celtic sea salt, sucanat, black & red pepper, thyme, sage, summer savory, fennel, garlic

Pork Scrapple – Pork, pork broth, pork organs, sprouted spelt flour, corn meal, rolled oats, whey, lard, celtic sea salt, black pepper

Pork Sausage – Ground pork, celtic sea salt, black pepper, sage

Pork Liverwurst – Pork organs, pork broth, black pepper, celtic sea salt

Liverwurst Sausage: Pork, pork organs, honey, celtic sea salt, onion powder, black pepper, coriander, marjoram, all spice

Brine for cured, salted bacon & ham – Real salt, black pepper, water, vinegar, baking soda

Bacon: Pork (cut from the belly), celtic sea salt, black pepper, water, apple cider vinegar, baking soda

Country Bacon: Pork (cut from the shoulder), celtic sea salt, black pepper, water, apple cider vinegar, baking soda

Canadian Bacon: Pork, celtic sea salt, black pepper, water, apple cider vinegar, baking soda

Cured Ham: Pork, celtic sea salt, black pepper, water, apple cider vinegar, baking soda

NUTS

Nut Trail Mix – Crispy almonds, pecans, walnuts, raisins, cashew pieces

Nut Seasoned Mix – Crispy almonds, pecans, walnuts, cashew pieces, organic butter, raw honey, natural seasonings, MSG and soyfree

Sweet & Spicy Nut Mix – Egg whites, sucanat, cinnamon, ginger powder, all spice, celtic sea salt

Honey & Spice Nuts: Butter, honey, cinnamon, all spice, ginger

VEGGIES

Pickled Beets – Red beets, beet juice, vinegar, green stevia, celtic sea salt

Garlic Dill Pickles – Pickles, vinegar, celtic sea salt, green stevia, water, dill, garlic, tumeric

Pickled Okra – Okra, vinegar, celtic sea salt, green stevia, water, dill, garlic, tumeric

Zucchini Relish – Zucchini, onion, green & red peppers, vinegar, honey, celtic sea salt, celery seed, tumeric, black pepper

FERMENTED VEGGIES

Fermented Beets – Red beets, whey, celtic sea salt, beet juice

Fermented Bread & Butter Pickles – Organic cucumbers, organic onions, lemon juice, whey, raw honey, celtic sea salt, celery seeds, tumeric, mustard seeds

Fermented Dill Pickles – Organic cucumbers, dill, onion, celery seed, mustard seed, celtic sea salt, whey

Fermented Pickle Relish – Pickles, celtic sea salt, whey, onions, dill seed

Fermented Daikon Radish – Daikon radish, whey, celtic sea salt

Fermented Kimchee – Chinese cabbage, onions, carrots, daikon radish, garlic, ginger, red pepper flakes, celtic sea salt, whey

Fermented Sauerkraut – Cabbage, celtic sea salt

Fermented Vegetable Chow-Chow – Cauliflower, broccoli, carrots, onions, peppers, celtic sea salt, celery seeds, tumeric, whey

Fermented Carrots & Onions – Carrots, onions, celtic sea salt, whey

Fermented Onions – Onions, celtic sea salt, whey

Fermented Veggie Mix – Green tomatoes, onions, bell peppers, hot peppers, whey, water, celtic sea salt

Organic Horseradish – Horseradish roots, apple cider vinegar, celtic sea salt

Fermented Ketchup (Amos Brand) – Tomatoes, apple cider vinegar, maple syrup, whey, cayenne peppers, celtic sea salt, garlic

Fermented Salsa – Tomatoes, peppers, onions, celtic sea salt, whey, garlic

Fermented HOT Salsa – Tomatoes, hot pepper, onions, celtic sea salt, whey, garlic, cayenne pepper

Fermented Garlic: Roasted garlic, celtic sea salt, oregano, whey, water

BAKERY

- Cinnamon Raisin Bread** – Organic fresh ground whole wheat flour, organic unenriched unbleached wheat, raw honey, lard, organic raisins, celtic sea salt, raw apple cider vinegar, yeast, cinnamon
- Zucchini Bread** – Heritage wheat flour, honey, sucanat, olive oil, eggs, water, zucchini, baking soda, baking powder, cinnamon, cloves, celtic sea salt
- Pumpkin Bread**– Heritage wheat flour, raw honey, sucanat, olive oil, eggs, water, pumpkin, baking soda, baking powder, cinnamon, cloves, celtic sea salt
- Spelt Bread**– Organic fresh ground spelt flour, unbleached unenriched organic wheat flour, ground flax seed, raw honey, pure lard, raw Apple cider vinegar, celtic sea salt, yeast, water,
- Sprouted Spelt Bread**– Sprouted grain spelt flour, water, raw honey, olive oil, eggs, celtic sea salt, vinegar, yeast
- 7-Grain Bread**– Rye, hard white wheat, hard red wheat, pearl barley, brown rice, spelt, millet, unbleached unenriched wheat flour, raw honey, celtic sea salt
- Sourdough Heritage Wheat Bread** – Red Fife Heritage wheat flour, olive oil, honey, water, eggs, celtic sea salt
- Sourdough Wheat Bread** – Organic fresh ground wheat flour, unenriched unbleached wheat flour, water, honey, celtic sea salt
- Soaked Wheat Bread** – Ground wheat flour, unenriched wheat flour, water, honey, lard, yeast, celtic sea salt, apple cider vinegar
- Sourdough Rye Bread** – Fresh ground rye flour, unbleached unenriched organic wheat flour, water, honey, celtic sea salt
- Angel Food Cake** – Egg whites, unenriched unbleached white flour, raw honey, cream of tartar, vanilla extract, celtic sea salt
- Shoofly Pie** – **Crust:** Sprouted grain spelt flour, lard, celtic sea salt, water, baking powder
Filling: Baking molasses, rice syrup, sucanat, water, baking soda, eggs, sprouted spelt flour, lard
Crumb Topping: Sprouted spelt flour, butter, baking soda, sucanat
- Apple Pie** – **Crust:** Wheat flour, lard, baking powder, salt, sucanat, water, apple cider vinegar
Filling: Organic apples, water, maple syrup, stevia, tapioca starch, lemon, cinnamon
Crumb Topping: Sprouted spelt flour, butter, baking soda, sucanat
- Rhubarb Crumb Pie** – Rhubarb, sucanat, sprouted spelt flour, organic butter, eggs, vanilla, lard, baking powder, celtic sea salt, water
- Coconut Chocolate Chip Cookies (Gluten-free)** - Butter, eggs, coconut, coconut flour, gluten-free chocolate chips, raw honey, sucanat, vanilla, celtic sea salt
- Almond Butter Chocolate Chip Cookies:** Almond flour, sucanat, almond butter, butter, eggs, chocolate chips, vanilla extract, celtic sea salt, baking soda

MUFFINS—GLUTEN FREE

- Coconut** – Organic grass-fed raw butter, organic eggs, sucanat, celtic sea salt, coconut extract, coconut flour, baking powder, organic coconut
- Lemon-Poppy Seed** – Organic eggs, organic grass-fed raw butter, raw milk, raw honey, coconut flour, lemon extract, organic poppy seeds, baking powder, celtic sea salt
- Vanilla-Pecan** – Organic eggs, organic grass-fed raw butter, raw milk, raw honey, coconut flour, vanilla extract, baking powder, pecans, celtic sea salt
- Blueberry** – Organic eggs, organic grass-fed raw butter, raw milk, raw honey, coconut flour, almond extract, baking powder, sea salt, blueberries
- Rhubarb Crumb** – Almond flour, rhubarb, organic eggs, organic milk, organic butter, sucanat, raw honey, baking powder, baking soda, celtic sea salt, vanilla

STAPLES

- Ghee** - No salt butter from grass-fed cows (no grain)
- Herb Salt** – Celtic sea salt, brewers yeast flakes, celery, basil, parsley leaves, garlic, onion, chives, loveage
- Noodles** – Spelt flour, eggs
- Noodles Soaked** – Sprouted spelt flour, eggs
- Homemade Supertonic** – onions, garlic, horseradish root, ginger, cayenne, ginger root, apple cider vinegar
- Vanilla Extract:** Extract of vanilla beans in alcohol
- Best Salad Vinegar:** Apple cider vinegar, garlic, dill weed, bay leaves

TREATS

- Apple Butter** – Apples, sucanat, maple syrup, cinnamon, nutmeg
- Applesauce** – Apples
- Honey Mustard** – White vinegar, dry mustard, eggs, honey, sucanat
- Mayonnaise** – Water, onion powder, garlic powder, mustard powder, paprika, egg yolks, sesame oil, coconut oil, olive oil, green stevia, Apple cider vinegar, starch, celtic sea salt
- Homemade Granola w/ Raisins** – Oats, sesame seeds, sunflower seeds, coconut butter, butter, raisins, honey, celtic sea salt, cinnamon
- Granola Bars** – Oats, sesame seeds, sunflower seeds, coconut butter, butter, raisins, honey, maple syrup, rice syrup, peanut butter, celtic sea salt, cinnamon

Strawberry Jam: Strawberries, evaporated cane sugar, fruit pectin
Raspberry Jam: Raspberries, evaporated cane sugar, fruit pectin
Blueberry Jam: Blueberries, evaporated cane sugar, fruit pectin
Cashew Butter: Crispy cashews
European Turly Raw Almond Butter: Raw organic European almonds
Potato Chips: Potatoes, lard, coconut oil, celtic sea salt
Sweet Potato Chips: Sweet potatoes, lard, coconut oil, celtic sea salt
Garlic Spread – Chopped garlic scapes, crushed walnuts, mozzarella cheese, olive oil, celtic sea salt
Egg Custard – Soy-free eggs, milk, maple syrup, celtic sea salt, vanilla extract, cinnamon

DRINKS

Kombucha – Water, raw sugar, organic black tea, kombucha mushroom
Beet Kvass – Beets, water, whey, celtic sea salt
Fermented Ginger-ale – Grated ginger, fresh lime juice, sucanat, whey, celtic sea salt, water
Fermented Lemonade – Water, fresh pressed lemon juice, sucanat, whey, nutmeg
Sourdough Kvass: Filtered water, rye bread crumbs, (filtered water, rye flour, whole wheat flour, sourdough, black strap molasses, sugar, salt coriander), barley, malt, sugar

WATER KEFIR

Cranapple Water Kefir: Water, 100% fruit juice, sugar, unsulfured molasses, lemon and lime juice, ginger root
Blueberry Water Kefir: Water, 100% fruit juice, sugar, unsulfured molasses, lemon and lime juice, ginger root
Ginger Water Kefir: Water, sugar, unsulfured molasses, lemon and lime juice, ginger root
Cherry Water Kefir: Water, 100% fruit juice, sugar, unsulfured molasses, lemon and lime juice, ginger root
Plain Water Kefir: Water, sugar, unsulfured molasses, lemon and lime juice
Apple Water Kefir: Water, 100% fruit juice, sugar, unsulfured molasses, lemon and lime juice, ginger root

May 2023



**Millers Organic Farm
Private Membership Association**

648 Mill Creek School Road, Bird-in-Hand, PA 17505 (717) 556-0672

Leave message with order.

When placing an order, please allow 24-36 hrs. for shipping to avoid a rush order fee.

Prices are subject to change without notice.

A2 Cow Milk & Dairy

A2 Butter

No salt - \$10.75/8oz, \$16.50/lb

Salted - \$11.00/8oz, \$17.00/lb

Cultured, no salt- \$11.50/8oz, \$17.50/lb.

Cultured, salted- \$10.75/8oz, \$18.00/lb

A2 Ghee - \$21.50/pt

A2 Buttermilk - \$4.50/quart

A2 Buttermilk, cultured - \$5.00/quart

A2 Cheese – Salted

Cheddar, Mild - \$10.75/lb., \$10.25/lb. for 5lb. block

Cheddar (no salt) - \$10.75/lb., \$10.25/lb. for 5lb. block

Cheddar, Sharp - \$10.75/lb., \$10.25/lb. for 5lb. block

Cheddar, Garlic - \$10.75/lb., \$10.25/lb. for 5-6 lb. block

Colby—\$10.75/lb., \$10.25/lb. for 5-6 lb. block

Farmers - \$10.75/lb., \$10.25/lb. for 5lb. block

Gouda—\$11.50/lb. (1 lb. or 5 lb. block)

Havarti - \$11.50/lb

Herbal Jack— \$10.75/lb., \$10.25/lb. for 5-6 lb. block

Monterey Jack – \$10.75/lb., \$10.25/lb. for 5-6 lb. block

Mozzarella - \$14.50/lb.

Pepper Jack – \$10.75/lb., \$10.25/lb. for 5lb. block

Swiss- \$10.75/lb., \$10.25/lb. for 5lb. block

A2 Cheese – No Salt

Cheddar – \$10.75/lb., \$10.25/lb. for 5-6 lb. block

Cheddar, Sharp - \$10.75/lb., \$9.25/lb. for 5-6 lb. block

Fraiser – \$16.00/lb

Gouda – \$11.50/lb. (1 lb. or 5 lb. block)

Monterey Jack – \$10.75/lb., \$10.25/lb. for 5-6 lb. block

Swiss – \$10.75/lb., \$10.25/lb. or 5-6 lb. block

A2 Cottage cheese – w/o cream \$7.00/pt, w/ cream \$7.50/pt

A2 Cottage Cheese in glass bottle – w/o cream \$9.50/pt, w/ cream \$10.00/pt

Cheese Spread - \$8.00/8oz, \$11.50/lb.

A2 Cream

Heavy in glass bottle- \$11.50/pt, \$17.50/qt, \$32.50/half gallon

Heavy - \$10.50/pt, \$16.50/qt, \$36.00/5lb. (2 ½ qt.)

Light in glass bottle - \$10.50/pt, \$16.00/qt, \$28.00/half gallon

Light - \$9.50/pt, \$15.00/qt, \$24.00/hf gal

A2 Crème fraiche - \$11.00/pt, \$17.50/qt

A2 Cream Cheese - \$8.00/8oz, \$12.00/lb.

A2 Cow Milk & Dairy

continued

A2 Ice Cream (Willow Run Dairy) \$15.00/qt.

Blackberry
Butter Pecan
Chocolate
Chocolate Peanut Butter
Maple Walnut
Mint
Strawberry
Vanilla

A2 Kefir

Mild - \$5.50/pt, \$8.50/qt
Regular (mixed mild-strong) - \$5.50/pt, \$8.50/qt
Strong - \$5.50/pt, \$8.50/qt
Grains - strong \$5.00/tsp, mild \$9.50/tsp

A2 Milk

A2 Milk - \$7.50/hf gal, (\$11.00/gal co-ops only)
A2 Milk in glass bottle - \$11.00/half gal w/ handle,
\$15.00/gal no handle - co-ops only
A2 Colostrum, first - \$15.50/pt, \$26.50/qt.
A2 Colostrum, regular - \$10.00/pt, \$19.50/qt
Cinnamon Milk - \$7.00/qt., \$10.50/half gallon
Chocolate Milk - \$9.50/half gallon; \$17.00/gal
Custard, Egg - \$10.50/pt
Eggnog - \$9.75/qt

A2 Sour Cream - \$11.00/pt, \$17.50/qt

A2 Whey - \$4.00/qt, \$6.75/hf gal.

A2 Yogurt

A2 Yogurt - \$5.00/pt, \$7.50/qt
A2 Yogurt, Greek - Plain - \$9.00/pt, \$12.50/qt
Maple - \$9.50/pt, \$12.75/qt

A2 Yogurt Smoothies

Blackberry - \$9.00/pt
Raspberry - \$9.00/pt
Strawberry - \$9.00/pt.

A1 Ice Cream (Narvon Natural) \$14.00/qt.

Blackberry
Butter Pecan
Chocolate
Chocolate Peanut Butter
Dandy Blend
Maple Walnut
Mint
Strawberry
Vanilla

RAW HARD COW CHEESE—SALTED

Blue Cheese (soft) - \$16.75/lb.
Cheddar, Sharp - \$8.75/lb., \$8.00/lb. for 5-6 lb. block
Cheddar, Smoked - \$13.50/lb

RAW WATER BUFFALO MILK & DAIRY **(A2)**

Butter, salted - \$16.50/ ½ lb.
Butter, cultured, no salt - \$17.00/ ½ lb.
Butter, cultured, salted - \$17.50/ ½ lb.

Cheese

Buffalo Jack - \$14.50/ ½ lb
Buffeta - \$14.50/ ½ lb. block
Camenbuff - \$14.00/6 oz. wheel
Cheddar - \$14.50/ ½ lb. block
Hot Jack - \$14.50/ 1/2 lb. block
Cheese Spread, soft (sp. flavor: plain, garlic &
chives, chipotle heat, herbal bliss) - \$8.75/8oz.
Colostrum - \$25.50/pt.
Cottage Cheese - \$15.50/pt.
Cream - \$17.00/ 8 oz.
Egg Custard - \$12.50/pt.
Ice Cream - (van.) - \$23.50/qt.
Kefir - \$11.00/pt.; \$20.00/qt.
Milk - \$9.00/pt, \$13.00/qt, \$23.50/hf gal.,
(\$39.00/gal. co-ops only)
Whey - \$9.00/qt.
Yogurt - \$11.00/pt, \$16.00/qt.

GRASS-FED FARM FRESH FOODS

Our cows are on a high forage diet and are fed no grain to ensure a higher quality, more nourishing and better tasting food

No Sunday Sales

Farm Store Hours

Mon. – Fri. 8:00am – 4:30pm EST
Saturday by appointment

Shipping options include FedEx Ground and FedEx Overnight. Handling charges are \$10 - \$18 per box, depending on size and content (shipping not included). When shipping eggs with FedEx, please add \$1.00 per dozen eggs ordered.



RAW CAMEL DAIRY

- Kefir - \$20.00/pt.
- Milk – 1-10 pts.—\$17.00/pt,
11-30 pts.—\$14.50/pt.
31 or more pts.—\$13.00/pt.
- Milk Soap - \$9.50/bar
- Tea tree oil
- Lavender
- Sweet citrus
- Yogurt - \$20.00/pt.

RAW DONKEY DAIRY

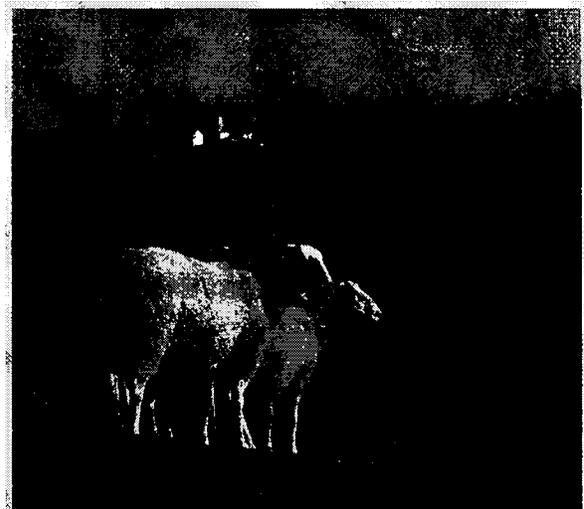
\$27/pt.

RAW SHEEP MILK & DAIRY

Butter (salted & no salt) - \$23.00 /8oz.

Cheese

- Feta (salt & no salt) - \$19.50/lb
- Lucious Lamp - \$17.00/ ½ lb
- Colostrum, Frozen- \$38.00/pt (Out of stock)
- Cottage Cheese, Frozen - \$20.00/16 oz.
- Cream, Frozen - \$19.00/8 oz.
- Kefir - \$22.00/qt
- Milk - \$16.00/qt, (loaded w/Vitamin C)
- Milk, Frozen- \$20.00/ ½ gal.
- Yogurt - \$22.00/qt
- Frozen sheep quarts - \$13.00/qt.



IMPORTANT ORDERING INFORMATION

We use insulated boxes with ice-packs accordingly. **Prices subject to change without notice.** When placing an order, it is your responsibility to clearly specify exactly what you want as we have quite a few options such as: salted or unsalted cheese, frozen or unfrozen meats, washed or unwashed & unrefrigerated eggs, so please be aware of such options. We are not liable for any unclear orders but will use our best judgment. Thank you kindly for your support. We look forward to providing you with healthy food.

RAW GOAT MILK & DAIRY

11 Strain Probiotic Drink - \$8.50/pt
Butter (salted or no salt) - \$12.50/4oz
Buttermilk - \$10.75/pt.

Cheese

Bubble on the Ridge Cheese - \$10.00/ ½ lb.
Cheddar (hard) (salted)— \$17.00/lb.
Chevre, Garlic (no salt) (soft) —\$10.50/8oz
Chevre, Plain (salted & no salt) (soft)—\$10.50/8 oz.
Feta (salted & no salt) - \$17/ lb. (Available in 1lb.
and ½ lb.; please specify.)
Goat garlic and chive cheddar cheese - \$17.00/lb.
Colby Cheese (salted) - \$17.50/lb.
Colostrum—\$38.00/pt. (out of stock)
Cottage Cheese - \$14.50/lb.
Cream - \$18.50/8oz
Ice Cream (Vanilla, Strawberry, Chocolate, Maple) -
\$14.50/pt.
Kefir - \$13.50/qt
Milk - \$8.00/qt, \$12.00/ ½ gallon, (\$20/gallon; Co-ops only)
Milk in glass bottle - \$16.00/ ½ gallon
Soap, Goat Milk - \$5.50/bar
Soap, Unscented Oatmeal Goat - \$5.50/bar
Soap, Liquid, Goat—\$10.25/8 oz.
Whey - \$8.00/qt
Yogurt - \$12.50/qt
Yogurt, Greek (Plain) - \$10.00/pt., \$17.00/qt.



Phone: (717) 556-0672

Leave message with order.

**When placing an order, please allow 24-36 hrs. for shipping to
avoid a rush order fee.**



Poultry & Meats

CHICKEN - Soy-FREE (OUT OF STOCK BY USDA ENCROACHMENTS)

Breasts, w/bone (1/pk, avg. 1 ½ lb.) - \$12.50/lb. (out of stock)

Breasts, boneless (1/pk. avg. 1lb.) - \$15.00/lb. (out of stock)

Broth - \$7.50/pt, \$10.75/qt. (out of stock)

Fat, Raw - \$5.00/lb. (out of stock)

*Fat, Rendered - \$6.75/pt., 9.75/qt. (out of stock)

Fryers, Whole (avg. 4-6 lb.) - \$ 6.95/lb. (out of stock)

Fryers, Smoked (avg. 4-6 lb.) - \$ 8.95/lb. (out of stock)

Gizzard - \$7.75/lb. (out of stock)

*Hearts - \$ 24.50/lb. (out of stock)

Legs & Thighs (2/pk, avg 1 ½-2lb) - \$ 7.75/lb

*Liver - \$22.50/lb. (out of stock)

Necks & Backs (1/pk, avg 2 lb) - \$ 7.75/lb. (out of stock)

Pet Food: Ground - \$7.75/lb. (out of stock)

Pie, Chicken - \$13.00/6 in., \$18.00/9 in. (out of stock)

Soup, Chicken Noodle - \$8.00/pt, \$13.50/qt. (out of stock)

Soup, Liver - \$13.75/pt, \$22.00/qt. (out of stock)

Stock

Feet - \$ 1.50/ea. (out of stock)

Heads - \$2.00/ea. (out of stock)

Whole Bird (avg. 3 lb.) - \$5.00/lb. (SALE: \$1 off/lb.)

Tenderloin (no bone or skin) - \$25.50/lb. (out of stock)

Wings - \$ 6.75/lb. (out of stock)

Chicken, ground - \$16.50/lb. (out of stock)

CHICKEN – Corn & Soy FREE (OUT OF STOCK BY USDA ENCROACHMENTS)

Breasts, w/bone - \$13.50/lb. (out of stock)

Breasts, boneless - \$15.00/lb. (out of stock)

Eggs – \$10.00/doz.

Fryers, Whole - \$7.95/lb. (out of stock)

Legs & Thighs - \$8.75/lb. (out of stock)

Necks & Backs - \$7.75/lb. (out of stock)

Tenderloin - \$26.50/lb. (out of stock)

Wings - \$7.75/lb. (out of stock)

TURKEY— Soy-FREE (OUT OF STOCK BY USDA ENCROACHMENTS)

Backs - \$6.75/lb. (out of stock)

Breast - \$13.50/lb. (out of stock)

Breast, Ground, Smoked—\$13.50/lb. (out of stock)

Breast, Smoked, Sliced - \$16.50/lb. (out of stock)

Broth - \$6.50/pt, \$9.75/qt. (out of stock)

Gizzards - \$7.50/lb. (out of stock)

Heart - \$14.50/lb. (out of stock)

Legs - \$9.00/lb. (out of stock)

*Liver - \$18.50/lb. (out of stock)

Necks - \$6.75/lb. (out of stock)

Sausage - \$16.50/lb. (out of stock)

Scrapple - \$9.50/lb. (out of stock)

Tenderloin - \$18.50/lb. (out of stock)

Thighs - \$13.50/lb. (out of stock)

Turkey, Ground - \$14.50/lb. (out of stock)

Turkey, Whole - \$6.25/lb. (out of stock)

Turkey, Whole, Smoked - \$7.75/lb. (out of stock)

Wings - \$7.75/lb. (out of stock)

DUCK (OUT OF STOCK BY USDA ENCROACHMENTS)

Broth - \$11.50/pt., \$19.75/qt. (out of stock)

Duck, Half - \$10.50/lb. (out of stock)

Duck, Whole - \$9.50/lb. (out of stock)

Eggs - \$11.00/doz. - limited supply available



GRASSFED BEEF (OUT OF STOCK BY USDA ENCROACHMENTS)

Beef, Ground \$9.00/lb., 2lb. fam.Pk - \$8.00/lb. (Out of stock)

Beef, Ground w/ organs - \$14.00/lb. (Out of stock)

Bologna, All Beef- \$9.50/lb. (Out of stock)

Bones

Knuckle - \$5.00/lb. (Out of stock)

Marrow - \$18.50/lb. (Out of stock)

Regular - \$4.00/lb. (Out of stock)

Soup - \$10.75/lb. (Out of stock)

*Brains - \$27.25/half lb. (Out of stock)

Brisket - \$12.50/lb. (Out of stock)

Broth - \$7.50/pt, \$10.75/qt. (Out of stock)

Cubes - \$11.50/lb. (Out of stock)

Fat, Raw - \$4.50/lb. (Out of stock)

Glands

Adrenal - \$32.50/lb. (Out of stock)

Thymus- \$32.50/lb. (Out of stock)

Thyroid - \$32.50/lb. (Out of stock)

Heart - \$13.50/lb. (Out of stock)

Hotdogs, All Beef - \$10.50/lb. (Out of stock)

Jerky - \$8.75/4 oz

*Kidney - \$16.50/lb. (Out of stock)

Liver - \$18.50/lb. (Out of stock)

Patties, Ground Beef - \$10.00/lb. (Out of stock)

Pet Food: ground beef & organs - \$6.75/lb. - Frozen (Out of stock)

Ribs - \$6.50/lb

Roasts

Chuck - \$8.50/lb. (Out of stock)

Eye Round - \$8.50/lb. (Out of stock)

Round - \$9.50/lb.

Rump - \$10.50/lb. (Out of stock)

Sausage - \$9.00/lb. (Out of stock)

Steaks

Chip Steak - \$11.50/lb. (out of stock)

Delmonico - \$15.00/lb. (out of stock)

Flank - \$20.50/lb. (out of stock)

London Broil - \$11.50/lb. (out of stock)

New York - \$18.50/lb. (out of stock)

Rib Eye - \$19.50/lb. (out of stock)

Round - \$10.00/lb. (out of stock)

Shoulder w/ small marrow bone- \$9.00/lb.

Sirloin - \$11.50/lb. (out of stock)

Sirloin Tip - \$11.50/lb. (out of stock)

Skirt - \$20.50/lb.

T-bone - \$20.50/lb. (out of stock)

Stew Meat - \$9.50/lb. (out of stock)

*Tail, Ox, avg wt 1-3lbs. @ \$18.50/lb. (out of stock)

Tallow - \$11.00/qt. (out of stock)

Tenderloin - \$31.50/lb. (out of stock)

Tongue, Ox - \$10.50/lb

VEAL (OUT OF STOCK BY USDA ENCROACHMENTS)

Bones, Knuckle - \$5.50/lb. (Out of stock)

Bones, Soup - \$11.50/lb. (Out of stock)

Broth - \$7.50/pt, \$10.75/qt. (Out of stock)

Cubes - \$12.50/lb. (Out of stock)

Ground Veal - \$11.50/lb. (Out of stock)

Heart - \$14.00/lb. (Out of stock)

Liver - \$32.50/lb. (Out of stock)

Roast, Chuck - \$10.50/lb. (Out of stock)

Steak

Flank - \$18.50/lb. (Out of stock)

New York - \$19.50/lb. (Out of stock)

Ribeye - \$20.50/lb. (Out of stock)

Sirloin - \$16.50/lb. (Out of stock)

Skirt - \$18.50/lb. (Out of stock)

Round - \$11.50/lb. (Out of stock)

Tenderloin - \$29.50/lb. (Out of stock)





MILK-FED PORK (OUT OF STOCK BY USDA ENCROACHMENTS)

Bacon

- Canadian (cured & salted)- \$13.50/lb. (out of stock)
- Canadian (raw & unsalted) - \$12.50/lb. (out of stock)
- Country (cured-salted) - \$12.50/lb. (out of stock)
- Country (raw & unsalted) – \$11.50/lb. (out of stock)
- Cured & salted - \$15.50/lb. (out of stock)
- Raw & unsalted - \$13.50/lb. (out of stock)
- Bologna, Pork Roll - \$8.50/lb
- Brains - \$15.25/half lb. (out of stock)
- Broth - \$5.00/pt, \$7.50/qt (out of stock)
- Chops - \$11.25/lb. (out of stock)
- Fat, Raw - \$5.50/lb. (out of stock)

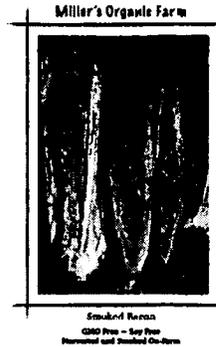
Ham

- Cured and Salted Sliced - \$8.50/lb. (out of stock)
- Raw, sliced - \$7.00/lb. (out of stock)
- Whole, cured-salt, avg wt 7-10 lbs @\$8/lb. (out of stock)
- Steak, Cured/ Salted (3/4" th) – \$8/lb. (out of stock)
- Ham & Bacon, Ground (cured, salt) - \$7.50/lb.

- Ham Hock, raw & unsalted - \$8.00/lb. (out of stock)
- Ham Hock, cured & salted - \$9.00/lb. (out of stock)
- Hot Dogs (pork & beef, no nitrates)-\$9.50/lb. (out of stock)
- *Lard - \$7.00/pt, \$10.50/qt , \$15.50/5 lb. (out of stock)
- Liver - \$7.50/lb. (out of stock)
- Liverwurst - \$9.50/lb. (out of stock)
- Organs - \$7.50/lb. (out of stock)
- Pet Food (ground pork w/organs) - \$6.25/lb.—Frozen (out of stock)
- Pork, Ground - \$8.00/lb. (out of stock)
- Pork, Ground w/ organs - \$8.25/lb.
- Roast, avg. wt. 2 - 4 lbs. @ \$9.00/lb. (out of stock)
- Roast, Loin avg. wt 2-3lb. - \$10.50/lb. (out of stock)

Sausage

- Links, Breakfast - \$9.50/lb. (out of stock)
- Links, Italian Breakfast - \$10.00/lb. (out of stock)
- Liverwurst - \$10.50/lb. (out of stock)
- Loose - \$8.50/lb. (out of stock)
- Rope - \$9.00/lb. (out of stock)
- Scrapple - \$9.50/lb
- Shoulder, w/bone (8-12 lb.) - \$8.50/lb. (out of stock)
- Spare Ribs - \$9.50/lb. (out of stock)
- Spare Ribs (cured, salted) - \$11.50/lb. (out of stock)
- Steak - \$9.00/lb. (out of stock)
- Steak, Tenderloin - \$24.50/lb



LAMB (All lamb is temporarily out of stock)

- Brains - \$24.25/half lb. (Out of stock)
- Broth - \$7.50/pt, \$9.75/qt
- Chops - \$25.50/lb.
- Cubes - \$18.00/lb. (Out of stock)
- Lamb, Ground - \$14.00/lb. (Out of stock)
- Lamb, Ground w/ organs - \$16.50/lb. (Out of stock)
- Leg of Lamb (approx. wt 3 lb) - \$17.50/lb (Out of stock)
- Liver - \$14.00/lb. (Out of stock)
- Pet Food - \$10.00/lb. (Out of Stock)
- Roast - \$18.50/lb. (Out of stock)
- Stew Meat (cubes) - \$18.00/lb. (Out of stock)
- Tallow - \$11.00/pt. (Out of stock)

GOAT

- Broth - \$10.50/pt., \$18.75/qt. (out of stock)
- Chops - \$27.50/lb.
- Cubes - \$18.00/lb. (out of stock)
- Goat, Ground - \$14.00/lb. (out of stock)
- Goat, Ground w/ organs - \$16.00/lb. (out of stock)
- Roast - \$20.50/lb
- Tallow - \$13.00/pt. (out of stock)

MUTTON

- Broth - \$6.50/pt., \$9.75/qt. (Out of Stock)

Sausage - \$13.50/lb

RABBIT (All rabbit is temporarily out of stock)

- Heart & Kidney - \$20.50/lb. (out of stock)
- Liver - \$20.50/lb. (out of stock)
- Whole (3 lb.) - \$16.50/lb. (out of stock)

SEAFOOD

- Broth, Fish - \$10.50/pt, \$15.75/qt
- Haddock, Icelandic - \$15.50/lb
- Salmon, Alaska Wild-whole fillets - \$19.50/lb., portions \$22.50/lb.

WATER BUFFALO MEAT



WATER BUFFALO

Bacon - \$22.50/lb
Bologna - \$12.50/lb

Bones

Knuckle - \$8.00/lb. (Out of stock)
Marrow - \$22.50/lb
Regular - \$7.50/lb
Soup - \$13.75/lb
*Brains - \$29.25/half lb.
Brisket - \$15.50/lb
Broth - \$11.75/pt., \$15.75/qt.
Buffalo, Ground - \$13.00/lb.
Buffalo, Ground w/ Organs - \$17.00/lb.
Cubes - \$15.00/lb
Fat, Raw - \$8.00/lb.

Glands

Adrenal - \$34.50/lb. (Out of stock)
Thymus - \$34.50/lb. (Out of stock)
Thyroid - \$34.50/lb. (Out of stock)
Heart - \$16.50/lb.
Hot Dogs - \$13.50/lb. (Out of stock)
Jerky - \$11.75/ 4 oz. (Out of stock)
Kidney - \$19.50/lb.
Liver - \$21.50/lb.
Pet Food - \$9.75/lb.
Ribs - \$9.50/lb. (Out of stock)

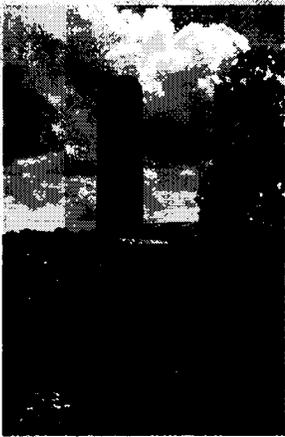
Roasts

Chuck - \$11.50/lb
Eye Round - 11.50/lb.
Round - \$12.50/lb.
Rump - 13.50/lb
Sausage - \$13.00/lb

Steaks

Chip Steak - \$14.50/lb
Delmonico - \$18.00/lb
Flank - \$24.50/lb
London Broil - \$14.50/lb.
New York - \$22.50/lb.
Ribeye - \$22.50/lb. (Out of stock) =
Round - \$14.00/lb.
Shoulder w/ sm. marrow bone - \$14.00/lb.
Sirloin—\$14.50/lb
Sirloin Tip - \$13.50/lb.
Skirt - \$24.50/lb
T-bone - \$24.50/lb.
Stix - \$10.00/ ½ lb
*Tail - \$22.50/lb. (Out of stock)
Tallow - \$11.00/pt., \$17.50/qt (Out of Stock)
Tenderloin - \$34.50/lb
Tongue - \$14.50/lb





Nuts, Fruits, & Veggies

CRISPY NUTS (12 oz bag)

Almonds - \$17.00
 Black Walnuts - \$17.00
 Brazil Nuts - \$16.00
 Cashews - \$14.00
 English Walnuts - \$18.00
 Honey & Spice Nuts - \$18.00
 Pecans - \$17.00
 Pumpkin Seeds - \$9.00
 Seasoned Mix - \$18.00
 Sunflower Seeds - \$9.00
 Sweet & Spicy Nut Mix - \$18.00
 Trail Mix - \$18.00

FRUITS

Apple Butter - \$7.00/8 oz., \$11.00/16 oz
 Applesauce - \$7.75/pt
 Blueberries, Frozen - \$7.00/pt.
 Pepper Jam - \$7.50/ 8 oz.
Jelly - \$7.00/8 oz
 Blackberry (out of Stock)
 Blueberry (out of Stock)
 Strawberry
 Mulberry Puree - \$10.50/pt., \$15.50/qt.
 Raspberries, Fresh - \$8.00/pt. (out of stock)
 Raspberries, Frozen - \$8.00/pt. (out of stock)
 Strawberries, Pureed, Frozen - \$10.00/pt. (out of stock)

VEGGIES

Asparagus, Frozen - \$8.00/lb
 Asparagus, Fresh - \$8.00/lb.
 Beans, String, Frozen - \$12.00/lb. (out of stock)
 Beets, Pickled - \$6.50/pt, \$9.50/qt
 Carrots, Fresh - \$3.50/lb.
 Corn, Frozen - \$12.00/lb.
 Okra, Pickled - \$8.50/pt, \$13.50/qt
 Onions, Fresh - \$3.50/lb.
 Peas, Green, Frozen - \$16.50/lb.
 Pickles, Garlic Dill - \$7.50/pt., \$11.50/qt (out of stock)
 Puree, Asparagus - \$8.50/pt
 Puree, Tomato - \$3.50/8 oz., \$6.75/16 oz.
 Relish, Zucchini - \$8.75/pt
 Rhubarb, Frozen - \$6.00/lb
 Rhubarb, Fresh - \$5.50/lb.
 Sweet Potatoes - \$3.50/lb.
 Veggie Box, Lancaster Farm Fresh (Med.) - \$42.00/box

FERMENTED VEGGIES

Beet Kvass - \$7.00/qt
 Beets - \$6.50/pt, \$9.50/qt
 Cabbage Juice, Green - \$11.50/qt
 Carrots & Onions - \$7.75/pt
 Chow Chow - \$8.50/pt., \$15.50/qt.
 Daikon Radish - \$7.75/pt.
 Daikon Radish Juice - \$7.50/pt. (Out of stock)
 Garlic - \$13.50/8oz.
 Horseradish - \$7.75/8oz
 Ketchup, Amos - \$8.00/8oz, \$12.50/qt
 *Kimchee - \$9.50/pt; \$15.50/qt.
 Kimchee Juice - \$12.50/qt
 Onions - \$6.75/pt
 Peas - \$9.00/pt.
 Pickles, Bread & Butter - \$6.75/pt, \$9.50/qt
 Pickles, Dill Whole - \$6.75/pt, \$9.50/qt
 Relish, Pickle - \$6.75/pt; \$9.75/qt
 Salsa, Tomato - \$6.75/pt
 Salsa, Hot - \$6.75/pt
 Sauerkraut, Green - \$6.75/pt, \$10.75/qt
 Vege Mix - \$6.50/pt

Bakery & Drinks

BAKERY

Breads

- Bread, Sliced, any type – add \$3.50/loaf
- Cinnamon-Raisin Wheat, Soaked - \$9.00/loaf
- Einkorn - \$11.00/loaf
- Pumpkin - \$9.00/loaf
- Rye, Sourdough - \$9.00/loaf
- Spelt, Sprouted - \$11.00/loaf
- Wheat, Sourdough - \$9.00/loaf
- Wheat, Sourdough Heritage - \$10.00/loaf
- Zucchini – \$9.00/loaf

Pies

- Shoofly (8") - \$13.50
- Apple (8") - \$13.50
- Rhubarb Crumb Pie - \$14.50 (Out of stock)
- Cake, Angel Food - \$10.50/ ½ cake

Muffins

- Blueberry, Gluten Free - \$9.50/ ½ doz.
- Coconut, Gluten Free - \$9.50/ ½ doz.
- Lemon-Poppy, Gluten Free - \$9.50/ ½ doz.
- Vanilla-Pecan, Gluten Free - \$9.50/½ doz.

Cookies

- Almond Butter Chocolate Chip - \$8.50/ ½ doz.,
\$14.00/doz. (not 100% organic)
- Coconut Choc. Chip Cookies - \$7.00/ ½ doz, \$11.50/doz.
- Oatmeal Raisin Cookies - \$8.50/ ½ doz., \$12.00/doz.



Farm Baked - Cinnamon Raisin Bread

Organic fresh ground whole wheat – Organic unenriched unbleached wheat
Raw honey – Lard – Organic raisins – Real salt
Raw vinegar – Yeast – Cinnamon

DRINKS

- Blackberry Juice - \$22.00/qt
- Cider, Raw Pear - \$18.50/ ½ gal.
- Cider, Raw Apple - \$11/qt., \$16.00/ ½ gal, \$22.00/gal.
- Frozen
- Ginger Ale - \$7.00/qt
- Jun - \$7.00/qt.

Kefir. Water - \$10.00/qt

- Apple
- Blueberry
- Cherry
- Cranapple
- Echinacea
- Ginger
- Grape
- Mango
- Plain

- Kombucha, Cranberry - \$7.00/qt
- Kombucha Tea - \$7.00/qt
- Kvass, Fermented Sourdough - \$13/2liters (out of stock)
- Lemonade, Fermented - \$6.00/qt

Staples, Treats & Misc.

STAPLES

Extract, Vanilla - \$24.75/4 oz.

Honey

Clover - \$14.75/pt

Miller's Raw - \$17.00/pt.

Orange Blossom - \$10.00/16 oz., \$31.50/5 lb.

Really Raw - \$15.75/16 oz., \$46.75/5lb.

Wild Flower - \$10.00/17oz, \$27.50/5lb.

Maple Syrup (Grade A) - \$16.50/qt.

Maple Syrup (Grade B) - \$18.50/qt, \$62.00/gal.

Noodles, Sprouted Spelt - \$13.50/lb.

Oil

Oil, Coconut - \$31.50/qt., \$62.00/gal (raw, cold-pressed, Philippine)

Oil, Olive "Dancing Goat" - \$24.00/16.9 oz.

Saffron Spice, Dried - \$13.00/.05 gram

Salt, Celtic Sea - coarse \$9.75/lb., fine \$13.25/lb.

Salt, Herb - \$7.75/4 oz.

Salve

Chickweed & Plantain - \$11.00/ 1oz, \$26.00/ 4oz.

Complete Tissue Healing - \$13.00/ 1oz., \$30.00/4 oz.

Supertonic, Homemade - \$22.75/4 oz.

Vinegar, Apple Cider - \$10.25/qt.

TREATS

Butters

Almond, Raw - \$15.50/8oz, \$26.50/16oz

Cashew - \$16.00/8oz., \$27.00/pt

Peanut, Homemade - \$9.00/8oz, \$12.50/pt

Chips

Potato, Amos brand - \$8.50/hf lb, \$13.00/lb

Potato, non-organic Zerbe - \$9.50/1lb. bag

Sweet Potato - \$9.75/ ½ lb.

Granola, Homemade - \$13.50/lb.

Mayonnaise, Homemade - \$6.50/pt

Mushroom, Kombucha - \$6.50/8oz

Mushroom Kit, Jun - \$6.75/8oz.

Mustard, Honey - \$5.75/8oz

Popcorn Kernels, Chemical Free Small - \$7.50/lb.

GREEN PASTURES BLUE ICE

Butter Oil (plain) 8oz - \$60.00

Butter Oil Capsules(120 caps) - \$43.90

Ghee, Coconut - \$27.50/27oz, \$60.00/gal

Cod Liver Oil & Butter Oil, Royal Blend Fermented (plain, cinnamon)(8oz) - \$47.50

Cod Liver Oil & Butter Oil, Royal Blend Fermented Capsules (120 caps) - \$44.50

Cod Liver Oil, Blue Ice Fermented (cinnamon, orange, plain)(8oz)-\$41.50

Cod Liver Oil Capsules, Blue Ice Fermented (120 caps) - \$31.50

Skate Liver Oil, Fermented (orange)(8oz) - \$40.50

Coconut Oil - \$31.50/27oz., \$62.00/gallon

ROSITA REAL FOODS

Cod Liver Oil, Extra Virgin - \$51.00/5 oz.

Cod Liver Oil Capsules, Extra Virgin - \$49.50/ 90 caps

Phone: (717) 556-0672

Leave message with order.

When placing an order, please allow 24-36 hrs. for shipping to avoid a rush order fee.

EXHIBIT 2

**Miller's Organic Farm
Private Membership Association**

648 Mill Creek School Road

Bird-in-Hand, PA 17505

Phone: (717) 556-0672

Leave message with order.

No Sunday Sales

February 2016

When placing an order, please allow 24-36 hrs. for shipping to avoid a rush order fee.

GRASSFED FARM FRESH FOODS

Our cows are on a high forage diet and are fed no grain to ensure a higher quality, more nourishing and better tasting food.

Farm Store Hours

Mon. - Fri. 8:00am - 4:30pm EST

Saturday by appointment

Shipping options include FedEx Ground and FedEx Overnight.

Handling charges are \$8 - \$16 per box, depending on size and content (shipping not included)

When shipping eggs with FedEx, please add \$1.00 per dozen eggs ordered.

We use insulated boxes with ice-packs accordingly. Prices subject to change without notice. When placing an order, it is your responsibility to clearly specify exactly what you want as we have quite a few options such as: salted or unsalted cheese, frozen or unfrozen meats, washed or unwashed & unrefrigerated eggs, so please be aware of such options. We are not liable for any unclear orders but will use our best judgment. Thank you kindly for your support, and we look forward to providing you with healthy food.

RAW COW'S MILK & DAIRY

Milk - \$4.50/hf gal, (\$8.00/gal co-ops only)

Milk in glass bottle - \$7.00/hf gal w/ handle,

\$11.00/gal no handle - co-ops only

Cream, heavy in glass bottle - \$8.50/pt, \$14.50/qt,

\$28.50/half gal

Cream, heavy - \$7.50/pt, \$13.50/qt, \$26.50/3 ½ lb,

\$32.00/5lb

Cream, light in glass bottle - \$7.50/pt, \$13.00/qt,

\$24.00/half gal

Cream, light - \$6.50/pt, \$12.00/qt, \$20.00/hf gal

Sour Cream - \$8.00/pt, \$14.50/qt

Crème fraiche - \$8.00/pt, \$14.50/qt

Buttermilk - \$2.00/quart

Buttermilk, cultured - \$2.50/quart

Colostrum, first - \$10.50/pt, \$19.50/qt

Colostrum, regular - \$4.00/pt, \$7.50/qt

Whey - \$2.00/qt, \$2.75/hf gal

Mild kefir - \$3.00/pt, \$5.50/qt

Regular kefir (mixed mild-strong) - \$3.00/pt,

\$5.50/qt

Strong kefir - \$3.00/pt, \$5.50/qt

Kefir grains - strong \$2.50/tsp, mild \$4.50/tsp

Yogurt - \$2.50/pt, \$4.50/qt

Greek Style Cow Yogurt (plain, maple) - \$5.00/pt,

\$8.50/qt

Cottage cheese - w/o cream \$4.00/pt, w/ cream

\$4.50/pt

Cottage Cheese in glass bottle - w/o cream

\$5.50/pt, w/ cream \$6.00/pt

Cream Cheese - \$5.00/8oz, \$9.00/lb

Cheese Spread - \$5.00/8oz, \$8.50/lb

Eggnog - \$6.50/qt

Butter, unsalted - \$7.75/8oz, \$12.50/lb

Butter, salted - \$8.00/8oz, \$13.00/lb

Butter, cultured, unsalted- \$8.50/8oz, \$14.50/lb

Butter, cultured, salted- \$8.75/8oz, \$15.00/lb

Chocolate Milk - \$6.50/ ½ gal., \$12.00/gal.

Cinnamon Milk - \$4.00/qt., \$6.50/ ½ gal.

RAW HARD COW CHEESE

(specify salted or no-salt)

Cheddar, Sharp Cheddar, -\$7.25/lb,

\$6.50/lb for 5-6 lb

Swiss, Colby, Monterey Jack, Pepper Jack, Herbal

Jack,- \$6.75/lb or \$6.00/lb for 5-6 lb block

Colby Dill(salt only)- \$6.75/lb or \$6 for 5-6 lb block

Farmers (salt only) - \$6.75/lb or \$6.00 for 5-6lb block

Havarti(salt only)-\$8.50/lb.

Garlic Cheddar (salted only)-\$7.25/lb or \$6.50/lb for

5-6 lb block

Mushroom Leek (salted only) - , - \$6.75/lb or

\$6.00/lb for 5-6 lb block

Mozzarella Cheese(salted only)(not raw) - \$8.50/lb

Old World Flavored, Cheddar, Asaigo (salted only)

- \$14.50/lb, \$13.75/lb for 5 lb block

Raw Gouda Cow Cheese-(salted only)-\$8.50/lb

(1 lb or 5 lb block)

Raw Cow Blue Cheese (soft) (salted only) -

\$13.75/lb

Smoked Cow Cheddar (salted only) - \$10.50/lb

ICE CREAM

Ice Cream: Butter Pecan, Chocolate, Strawberry, Vanilla,

Mint, Raspberry, Chocolate Peanut Butter, Ginger

(specify flavor)-- \$12.00/qt, 6+ qt - \$11.00/qt

RAW CAMEL DAIRY

Camel Milk – 1-10 pt - \$15.00/pt,
11-30 pt - \$12.50/pt, 31 or more – \$11.00/pt
Camel Kefir - \$17.00/pt.
Camel Yogurt - \$17.00/pt.
Camel Milk Soap - \$6.50/bar

RAW SHEEP MILK & DAIRY

Milk - \$7.00/pt, \$12.00/qt (loaded w/Vita C)
Frozen Butter (salted & no salt) - \$18.00 / 6oz.
Yogurt - \$9.00/pt, \$15.00/qt
Kefir - \$9.00/pt, \$15.00/pt
Cheese (Cave aged): Ewes Dream &
Mild Shepherd's Delight - \$16.50/lb
Cheese (soft) – Feta (salted or unsalted) - \$16.50/lb
Tallow - \$8.00/pt.

WATER BUFFALO DAIRY

*Water Buffalo Milk - \$7.00/pt, \$12.00/qt
*Water Buffalo Yogurt - \$9.00/pt, \$15.00/qt
*Water Buffalo Mozzarella - \$9.00/ ½ lb. ball(not raw)
*Water Buffalo Buffeta - \$9.00/ ½ lb block
*Water Buffalo Camenbuff - \$12.00/6 oz. wheel

RAW GOAT MILK & DAIRY

Milk - , \$6.00/qt, \$10.00/hf gal
Milk in glass bottle - \$12.00/hf gal
Cream - \$14.00/8oz, \$26.00/pt
Kefir - \$9.50/qt
Yogurt - \$9.50/qt
Whey - \$6.00/qt
Cottage Cheese - \$11.00/lb
Cheese (soft): Feta(spec salt or no-salt) - \$7.50/hf lb,
\$13.50/lb
Chevre Cheese (soft): garlic, plain –\$7.50/8oz
Cheese (hard): cheddar(no salt or salted)– \$13.50/lb
Butter (specify salted or unsalted) - \$10.50/4oz
Goat 11 Strain Probiotic Drink - \$7.50/pt
Goat Milk Soap - \$3.50/bar
Liquid Goat Soap - \$6.75/8 oz.

Poultry & Meats

CHICKEN - Soy-FREE

Whole Fryers (avg. 4-6 lb) - \$ 4.95/lb
Breasts, boneless (1/pk, avg. 1lb) - \$13.00/lb
Breasts, bone-in (1/pk, avg 1 ½ lb) - \$10.50/lb
Tenderloin (no bone or skin) - \$20.00/lb
Legs & Thighs (2/pk, avg 1 ½-2lb) - \$ 5.75/lb
Wings - \$ 5.75/lb
Necks & Backs (1/pk, avg 2 lb) - \$ 3.75/lb
Hearts - \$ 14.50/lb
Liver - \$14.50/lb
Gizzards - \$5.00/lb
Whole Bird for Stock (avg 3 lb) - \$4.00/lb
Heads for Stock - \$2.00/ea
Feet for Stock - \$ 1.50/ea
Fertile Eggs - \$7.00/doz
Pet Food: Ground - \$5.75/lb (Out of Stock)
Chicken Fat Rendered - \$3.75/pt.
Chicken Fat Raw - \$3.50/lb
Raw Chicken Salad (ceviche) - \$10.50/pt
Liver Soup - \$10.25/pt, \$18.00/qt
Chicken Pie - \$11.00/6 in., \$16.00/9 in
Ground Chicken (soy free) - \$11.50/lb
Chicken Broth - \$5.50/pt, \$8.75/qt

TURKEY – Soy-FREE

Wh Turkey - \$4.75/lb
Wh. Smoked Turkey - \$5.75/lb
Breast - \$11.50/lb
Thighs - \$11.50/lb
Legs - \$7.00/lb
Wings - \$6.75/lb
Ground Turkey - \$11.50/lb

Turkey Sausage – \$12.00/lb
Turkey Heart - \$9.50/lb
Turkey Liver - \$9.50/lb
Turkey Gizzards - \$5.50/lb
Turkey Scrapple - \$6.50/lb
Turkey Pet Food - \$5.75/lb
Turkey Broth - \$5.50/pt, \$8.75/qt.

DUCK - Soy FREE

Duck (appx. 4-5lbs) - \$7.50/lb

Half Duck - \$8.00/lb,

GOOSE – Soy FREE

Whole Goose - \$11.00/lb (avg. wt. 7 lb.)
Goose Breast - \$17.00/lb
Goose Leg & Thigh - \$12.00/lb
Goose Gizzard – 15.50/lb
Goose Neck & Back - \$5.50/lb
Goose Liver - \$28.50/lb
Goose Heart - \$28.50/lb
Goose Broth - \$5.50/pt., \$8.75/qt.

LAMB –

Ground Lamb - \$10.00/lb
Lamb cubes - \$14.00/lb
Lamb chops - \$22.50/lb
Lamb Broth - \$5.50/pt, \$8.75/qt
Lamb Roast - \$16.50/lb
Ground Mutton - \$8.50/lb

SEAFOOD

Alaska Wild Salmon-\$16.50/1lb, \$14.50/2lb
Icelandic Haddock - \$9.50/lb
Fish Broth - \$9.50/pt, \$12.75/qt

GRASSFED BEEF

Ground Beef \$7.00/lb, 2lb fam.Pk - \$6.00/lb
Ground Beef w/ organs - \$11.00/lb
Beef Cubes - \$7.50/lb
Beef Sausage - \$7.00/lb
Round Steak - \$8.00/lb
Shoulder Steak w/ small marrow bone- \$7/lb
London Broil - \$10.50/lb
Delmonico - \$13.00/lb
Beef Chip Steak - \$9.50/lb
Skirt Steak - \$16.50/lb
Sirloin Steak - \$9.50/lb
Sirloin Tip - \$9.50/lb
New York Steak - \$16.50/lb
Rib Eye Steak - \$16.50/lb
T-bone Steak - \$18.50/lb
Beef Tenderloin - \$28.50/lb
Beef Ribs - \$4.50/lb
Brisket - \$11.50/lb
Flank Steak - \$18.50/lb
Chuck Roast - \$6.50/lb
Round Roast - \$7.50/lb
Eye Round Roast - \$8.50/lb
Rump Roast - \$9.50/lb
Ox tail, avg wt 1-3lbs @ \$13.50/lb (Out of Stock)
Ox tongue - \$8.50/lb
Soup bones w/ meat & marrow – \$8.75/lb
*Marrow bones w/out meat - \$14.50/lb
Knuckle bones - \$3.00/lb
Regular bones (large)– \$2.00/lb
Regular bones (small) - \$2.50/lb
Beef heart - \$8.50/lb
Beef kidney - \$6.50/lb
Beef liver - \$9.50/lb
Glands, adrenal, thymus,thyroid - \$18.50/lb (O.O.S.)
Pet Food: ground beef & organs – \$4.75/lb
Beef Broth - \$5.50/pt, \$8.75/qt
All Beef Bologna - \$7.50/lb
All Beef Hotdogs - \$8.50/lb
Tallow - \$3.25/pt, \$5.75/qt
Beef Fat - \$2.50/lb
Beef Jerky - \$6.75/4 oz

VEAL

Will sub. w/ beef if not in stock, all veal is frozen
Ground veal - \$9.50/lb
Veal cubes - \$10.50/lb
Veal Broth - \$5.50/pt, \$8.75/qt

Veal Round Steak - \$9.50/lb
Veal Sirloin - \$14.50/lb
Veal Flank - \$16.50/lb
Veal Tenderloin - \$26.50/lb
Veal Liver - \$29.50/lb
Veal Chuck Roast - \$7.50/lb
Veal New York Steak - \$18.50/lb
Veal Soup Bones - \$9.50/lb
Veal Marrow Bones - \$14.50/lb
Veal Heart - \$12.00/lb
Veal Kidneys - \$12.00/lb

MILK-FED PORK

Tenderloin Steak - \$19.50/lb
Loin Roast, avg wt 2-3lb - \$8.50/lb
Pork Chops - \$8.25/lb
Spare Ribs - \$7.50/lb
Steak - \$6.50/lb
Roast, avg wt 2-4lbs @ \$6.50/lb
Ground Pork - \$6.00/lb
Ground Pork w/ organs - \$6.25/lb
Sausage (rope) - \$6.50/lb
Pork Sausage (loose) - \$6.50/lb
Breakfast Sausage (links) - \$7.50/lb
Scrapple - \$5.00/lb
Ham Hock, raw & unsalted - \$5.50/lb
Ham Hock, cured & salted - \$6.50/lb
Raw Ham sliced - \$5.00/lb
Cured and Salted Sliced Ham - \$6.50/lb
Wh Ham cured-salt, avg wt 7-10 lbs @\$6/lb
Cured/ Salted Ham Steak (3/4" th) – \$6/lb
Pork Shoulder, bone in (8-12 lb.) - \$6.50/lb
Bacon (raw & unsalted) - \$12.50/lb
Bacon (cured & salted) - \$14.50/lb
Country Bacon (cured-salted) - \$11.50/lb
Country Bacon (raw & unsalted) – \$10.50/lb
Canadian Bacon(cured & salted)- \$11.50/lb
Canadian Bacon(raw & unsalt) - \$10.50/lb
*Spare Ribs (cured, salted) - \$9.50/lb
Ground Ham & Bacon (cured, salt) - \$8.50/lb
Hot Dogs (pork & beef, no nitrates)-\$7.50/lb
Lard - \$4.00/pt, \$6.50/qt
Pork Organs - \$5.50/lb
Pet Food (ground pork w/organs) - \$4.25/lb
Pork Broth - \$3.00/pt, \$5.50/qt
Pork Liverwurst - \$5.50/lb

Nuts & Veggies

ORGANIC CRISPY NUTS (12 oz bag)

Almonds - \$15.00
Brazil Nuts - \$11.00
Pecans - \$16.00
Sunflower Seeds - \$7.00
English Walnuts - \$16.00
Pumpkin Seeds - \$7.00

Black Walnuts - \$15.00
Cashews - \$12.00
Seasoned Mix - \$16.00
Trail Mix - \$16.00
Sweet & Spicy Nut Mix - \$16.00

VEGGIES

Pickled Beets - \$4.00/pt, \$7.00/qt
Garlic Dill Pickles - \$3.75/pt, \$6.50/qt
Zucchini Relish-\$3.75/pt
Okra - \$5.00/pt., \$9.50/qt
Green Peas(freshly frozen) - \$10.50/lb.

FERMENTED VEGGIES

Fermented Kimchee - \$6.00/pt, \$10.50/qt
*Fermented Kimchee Juice - \$6.00/qt
Fermented Ketchup - \$3.75/8oz, \$6.50/qt
Fermented Amos Ketchup - \$5.00/8oz, \$8.00/pt
Fermented Beets - \$4.00/pt, \$7.00/qt
Fermented Daikon Radish - \$4.50/pt., \$8.50/qt.
Fmtd. Daikon Radish Juice - \$3.50/pt
Fermented Dill Pickles - \$3.75/pt, \$6.50/qt

Fermented Pickle Relish - \$4.50/pt, \$7.50/qt
Fmtd. Bread & Butter Pickles - \$4.00/pt, \$7.50/qt
Fermented Cabbage Juice - \$7.50/qt
Fermented Sauerkraut - \$4.50/pt, \$8.00/qt
Fermented Tomato Salsa - \$4.75/pt
Fermented Hot Salsa - \$4.75/pt
Fermented Vege Chow Chow - \$4.75/pt., \$8.50/qt
Fermented Carrots-Onions - \$4.75/pt
Fermented Vege Mix - \$5.50/pt
Fermented Onions - \$4.75/pt
Fermented Garlic - \$8.00/8 oz.
Beet Kvass - \$6.00/qt
Horseradish - \$4.75/8oz

Bakery, Staples, Treats, Drinks

BAKERY

Soaked Breads: Spelt, Wheat, Cinn-Raisin Wheat
(spec)- \$6.00/loaf
Sourdough Breads:Rye,Wheat, 7-grain (spec) \$6/lf
Sprouted Spelt Bread - \$8.00/loaf
Sourdough Heritage Wheat Bread - \$7.00/loaf
Sliced Bread, any type – add \$2.00/loaf
Angel Food Cake (half) - \$6.50
Shoofly Pie (8") - \$8.00
Apple Pie (8") - \$9.00
Pumpkin or Zucchini Bread – \$6.00/loaf
Muffins Gluten-free:Lemon-Poppy, Vanilla-Pecan,
Coconut, Blueberry(specify flavor)\$7.50/hf doz
Coco. Choc.ChipCookies(gluten free)–
\$5.00/hf.doz., \$9.50/doz.

STAPLES

Celtic Sea Salt- coarse\$6.75/lb, fine \$10.25/lb
Honey(Orange Bloss ,Wild Flower) - \$23.50/5lbs, \$8.00/17oz
Really Raw Honey - \$12.00/16 oz., \$39.50/5lb.
Maple Syrup (Grade A) - \$14.50/qt.
Maple Syrup (Grade B) – \$16.50/qt
Ghee - \$16.50/pt
Noodles, Spelt - \$7.50/lb
Noodles, Sprouted Spelt - \$9.50/lb
Best Salad Vinegar – \$4.50/pt
Olive Oil - \$15.50/12oz, \$74.50/gal. tin
Homemade Supertonic - \$19.50/4 oz.
Vanilla Extract - \$11.00/4 oz.
Coconut Oil –\$19.50/qt., \$56.00/gal (raw, cold-
pressed,Philippine)
*Fmtd. Coconut Oil - \$16.50/pt.

DRINKS

Fermented Lemonade - \$6.00/qt
Ginger Ale – \$6.00/qt
Fermented Grape Juice - \$9.50/qt
Kombucha Tea – \$5.00/qt
Cranberry Kombucha - \$6.00/qt
Fermented Sourdough Kvass – \$5.50/2liters
Raw Pear Cider - \$6.00/qt., \$10.50/ ½ gal.

Raw Apple Cider - \$6.00/qt, \$8.00/ ½ gal, \$12.00/gal

TREATS

Applesauce - \$4.50/pt
*Apple Butter – \$3.50/ 8 oz., \$6.50/pt
Apple Cider Vinegar - \$6.75/qt.
Egg Custard - \$7.50/pt
Homemade Mayonnaise – \$4.50/pt
Honey Mustard – \$3.50/8oz
Kombucha Mushroom - \$4.50
Homemade Granola - \$9.00/16 oz.
Granola Bars - \$3.00/bar
Chemical Free Sm. Popcorn Kernels - \$6.50/lb
Potato Chips non-organic Zerbe – \$8/2lb
Pot. Chips organic Amos brand –\$5.75/hf lb, \$11.00/lb
Sweet Potato Chips - \$7.75/ ½ lb
RawAlmondButter-\$14.50/8oz, \$22.50/16oz
Cashew Butter - \$14.50/8oz., \$22.50/pt
Garlic Spread - \$4.75/5oz

GREEN PASTURES BLUE ICE

Butter Oil (plain, rasp., butter pecan) 8oz - \$56.00
Butter Oil Capsules(120 caps) - \$39.90
Royal Blend Fermented Cod Liver Oil & Butter Oil
(chocolate, plain, cinnamon)(8oz) - \$43.50
Royal Blend Fermented Cod Liver Oil & Butter Oil
Capsules (120 caps) - \$40.50
Blue Ice Fermented Cod Liver Oil (cinnamon,
orange, mint, plain)(8oz)-\$37.50
Blue Ice Fermented Cod Liver Oil Capsules
(120 caps) – \$32.00
Fermented Skate Liver Oil (orange)(8oz) - \$36.50
Fermented Skate Liver Oil Capsules
(120 caps) – \$28.50
Infused Org. Virgin Coconut Oil(plain, cinn., carob
ban., carmel) - \$29.00/13.7oz., \$49.00/27.5oz.
Coconut Ghee –\$22.00/27oz, \$56.00/gal

ROSITA REAL FOODS

Extra Virgin Cod Liver Oil - \$42.00/5 oz.

February 2016 Newsletter

First of all we want to thank God our Master Creator who made things so well. Without the sun that God created and the rain we were getting, we could not be producing food that we have available to you.

We still have around 70 containers of frozen sheep butter that will be available while supplies last. The sheep butter sells in 6 oz. containers. (no salt only)

Drink plenty of raw milk. It is the world's healthiest drink. We sell cow, sheep, goat, camel, and water buffalo milk.

The sauerkraut is good for the digestive system. The sauerkraut sells in pints and quarts. We also sell fermented cabbage juice in quarts only. The sauerkraut and cabbage juice are \$1.00 off per quart in January.

We now have fresh daikon radish from our fall radishes. It is available in quarts and pints. We also now have fresh daikon radish juice in pints only.

We now have our own smoke house for our meats. All meats that say cured and salted have been smoked, and we use Real salt.

Butter and Your Health

HEART DISEASE: Butter contains many nutrients that protect against heart disease including vitamins A, D, K, and E, lecithin, iodine and selenium. A Medical Research Council survey showed that men eating butter ran half the risk of developing heart disease as those using margarine (*Nutrition Week 3/22/91, 21:12*).

CANCER: The short- and medium-chain fatty acids in butter have strong anti-tumor effects. Conjugated linoleic acid (CLA) in butter from grass-fed cows also gives excellent protection against cancer.

ARTHRITIS: The Wulzen or "anti-stiffness" factor in raw butter and also vitamin K in grass-fed butter, protect against calcification of the joints as well as hardening of the arteries, cataracts and calcification of the pineal gland. Calves fed pasteurized milk or skim milk develop joint stiffness and do not thrive.

OSTEOPOROSIS: Vitamins A, D and K in butter are essential for the proper absorption of calcium and phosphorus and hence necessary for strong bones and teeth.

THYROID HEALTH: Butter is a good source of iodine, in a highly absorbable form. Butter consumption prevents goiter in mountainous areas where seafood is not available. In addition, vitamin A in butter is essential for proper functioning of the thyroid gland.

DIGESTION: Glycosphingolipids in butterfat protect against gastro-intestinal infection, especially in the very young and the elderly.

GROWTH & DEVELOPMENT: Many factors in butter ensure optimal growth in children, especially iodine and vitamins A, D and K. Lowfat diets have been linked to failure to thrive in children—yet lowfat diets are often recommended for youngsters!

ASTHMA: Saturated fats in butter are critical to lung function and protect against asthma (Thorax, Jul 2003;58(7):567-72).
(Used by permission from Weston A. Price Foundation)

Why Butter is Better

VITAMINS: Butter is a rich source of easily absorbed vitamin A, needed for a wide range of functions, from maintaining good vision to keeping the endocrine system in top shape. Butter also contains all the other fat-soluble vitamins (D, E and K), which are often lacking in the modern industrial diet.

MINERALS: Butter is rich in important trace minerals, including manganese, chromium, zinc, copper and selenium (a powerful antioxidant). Butter provides more selenium per gram than wheat germ or herring. Butter is also an excellent source of iodine.

FATTY ACIDS: Butter provides appreciable amounts of short- and medium-chain fatty acids, which support immune function, boost metabolism and have anti-microbial properties; that is, they fight against pathogenic microorganisms in the intestinal tract. Butter also provides the perfect balance of omega-3 and omega-6 essential fatty acids. Arachidonic acid in butter is important for brain function, skin health and prostaglandin balance.

CLA: When butter comes from cows eating green grass, it contains high levels of conjugated linoleic acid (CLA), a compound that gives excellent protection against cancer and also helps the body build muscle rather than store fat.

GLYCOSPINGOLIPIDS: These are a special category of fatty acids that protect against gastro-intestinal infections, especially in the very young and the elderly. Children given reduced fat milks have higher rates of diarrhea than those who drink whole milk.

CHOLESTEROL: Despite all of the misinformation you may have heard, cholesterol is needed to maintain intestinal health and for brain and nervous system development in the young.

WULZEN FACTOR: A hormone-like substance that prevents arthritis and joint stiffness, ensuring that calcium in the body is put into the bones rather than the joints and other tissues. The Wulzen factor is present only in raw butter and cream; it is destroyed by pasteurization.

(Used by permission from Weston A. Price Foundation)

We have lots of raw butter in stock from this spring, summer and fall. Nice yellow-orange color from cows that were fed no grain, and had plenty of fresh green grass. All butter is 50% off if you buy 4 lb. or more through February. (You must mention the special to receive it.) Raw butter has good saturated fats which help our bodies to function. Raw butter is rich in minerals, and is made from raw cream from grass fed cows. Raw butter gives excellent protection against cancer. The cultured butter is made from sour cream, and the regular butter from regular cream.

Through the month of February, if you order 4 or more dozen of eggs, you will receive \$.50 off/dozen. (You must mention the special to receive it.)

The Homemade supertonic sells in 4 oz. bottles. It helps to boost the immune system. The one ingredient is garlic, which helps to fight infections.

We still have apple pies for your desserts.

Introducing. . .

. . .Italian Water Buffalo milk benefits

Yes, it's true!

Miller's Organic Farm now has expanded their dairy, milking their own Water Buffalo using grass-fed organic standards, producing milk and yogurt now and hopefully two kinds of cheese available in January.

Compared with cow's milk, water buffalo milk is pure white, smoother, thicker and tastier; it contains less water and more solids. Simply Mother Nature at its best!

Water buffalo milk is significantly lower in cholesterol and higher in calcium than cow's milk.

Water buffalo milk has 58% more calcium, 40% more protein, 43% less cholesterol than cow's milk.

Water buffalo milk is a totally natural product that can be consumed like any other milk. Time and time again, participants at Taste and Talks choose water buffalo milk. They just love the taste!

An unfortunate sign of the times is the growing number of people who suffer from milk allergy.

Fortunately this is not the case with buffalo milk which is suitable for many that suffer from milk allergies.

Indulge in the latest American nutritious drink. Try it and find out for yourself. Please share your experience.

If you have any questions, please give us a call @ (717) 556-0672.

Miller's Organic Farm

MILLER'S ORGANIC FARM
(A Private Membership Association)
648 Mill Creek School Rd.
Bird-in-Hand, PA 17505
(717) 556-0672
Product Ingredients

Apple Butter – Apples, rapadura, maple syrup, cinnamon, nutmeg
Applesauce – Apples
Kombucha – Water, raw sugar, organic black tea, kombucha mushroom
Beet Kvass – Beets, water, whey, celtic sea salt
Pickled Beets – Red beets, beet juice, vinegar, stevia, sea salt
Fermented Beets – Red beets, whey, celtic sea salt, beet juice
Fermented Bread & Butter Pickles – Organic cucumbers, organic onions, lemon juice, whey, raw honey, celtic sea salt, celery seeds, tumeric, mustard seeds
Fermented Dill Pickles – Organic cucumbers, dill, onion, celery seed, mustard seed, Celtic sea salt, whey
Fermented Pickle Relish – Pickles, Celtic Sea salt, whey, onions, dill seed
Fermented Daikon Radish – Daikon radish, whey, celtic sea salt
Zucchini Relish – Zucchini, onion, green & red peppers, vinegar, honey, celtic sea salt, celery seed, tumeric, black pepper
Garlic Dill Pickles – Pickles, vinegar, Celtic sea salt, stevia, water, dill, garlic, tumeric
Pickled Okra – Okra, vinegar, salt, stevia, water, dill, garlic, tumeric
Fmtd. Kimchee – Chinese cabbage, onions, carrots, daikon radish, garlic, ginger, red pepper flakes, celtic sea salt, whey
Fermented Sauerkraut – Cabbage, celtic sea salt
Fermented Vegetable Chow-Chow – Cauliflower, broccoli, carrots, onions, peppers, celtic sea salt, celery seeds, tumeric, whey
Fermented Veggie Mix – Green tomatoes, onions, bell peppers, hot peppers, whey, vinegar, water, celtic sea salt
Organic Horseradish – Horseradish roots, vinegar, celtic sea salt
Ghee - Clarified butter
Fermented Ketchup – Organic tomatoes, whey, garlic, maple syrup, cayenne pepper, fish sauce, celtic sea salt
Fermented Ketchup (Amos Brand) – Tomatoes, vinegar, homemade paste, maple syrup, whey, red peppers, celtic sea salt
Fermented Salsa – Tomatoes, peppers, onions, celtic sea salt, whey, garlic
Fermented HOT Salsa – Tomatoes, hot pepper, onions, celtic sea salt, whey, garlic, cayenne pepper
Honey Mustard – White vinegar, dry mustard, eggs, honey, rapadura
Mayonnaise – Water, onion powder, garlic powder, mustard powder, paprika, egg yokes, sesame oil, coconut oil, olive oil, stevia, vinegar, starch, celtic sea salt
Fermented Ginger-ale – Grated ginger, fresh lime juice, rapadura, whey, celtic sea salt, water
Fermented Lemonade – Water, fresh pressed lemon juice, rapadura, whey, nutmeg
Nut Trail Mix – Crispy almonds, pecans, walnuts, raisins, cashew pieces
Nut Seasoned Mix – Crispy almonds, pecans, walnuts, cashew pieces, organic butter, raw honey, natural seasonings, MSG and soyfree
Sweet & Spicy Nut Mix – Egg whites, rapadura, cinnamon, ginger, all spice, celtic sea salt
Homemade Granola w/ Raisins – Oats, sesame seeds, sunflower seeds, coconut butter, butter, raisins, honey, celtic sea salt, cinnamon
Granola Bars – Oats, sesame seeds, sunflower seeds, coconut butter, butter, raisins, honey, maple syrup, rice syrup, peanut butter, celtic sea salt, cinnamon

NOODLES

Noodles – Spelt flour, eggs
Noodles Soaked – Sprouted spelt flour, eggs

MEATS & POULTRY

Beef Bologna, sliced – 100% beef, honey, sucanat, red pepper, black pepper, celtic sea salt, natural smoke
Beef Hot Dog – 100% beef, rapadura, celtic sea salt, dry smoke powder, California spice, phosphate, black pepper
Hot Dog – 75% beef, pork lard, rapadura, celtic sea salt, dry smoke powder, California spice, phosphate, black pepper
Beef Jerky – Beef, black pepper, celtic sea salt, chili powder, onion powder
Pork Scrapple – Pork broth, pork organs, sprouted spelt flour, corn meal, rolled oats, whey, lard, celtic sea salt, pepper
Pork Sausage – Pork casing, salt, black pepper, sage
Pork Liverwurst – Pork organs, pork broth, black pepper, celtic sea salt
Turkey Scrapple - Corn meal, sprouted spelt flour, organic quick oats, whey, salt, black pepper
Turkey Sausage – Turkey sausage, salt, black pepper, sage
Raw Chicken Salad – Cubed chicken, whey, lemon juice, tomato, avocado, onion, basil, vinegar, cream, honey, olive oil, green pepper, cilantro
Chicken Pie – Soy free Chicken, chicken broth, lard, butter, unbleached unenriched organic wheat flour, potatoes, peas, onions, carrots, celery, celtic sea salt, pepper, celery salt, seasoned salt, MSG free
Chicken Liver Soup – Soy free Chicken broth, soaked brown rice, celery, carrots, soy free chicken, soy free chicken liver, brewers yeast, basil leaves, celtic sea salt

Miller's Organic Farm Product Ingredients

MUFFINS – Gluten-free

- Coconut** – Organic grass-fed raw butter, organic eggs, sucanet, celtic sea salt, coconut extract, coconut flour, baking powder, organic coconut
- Lemon-Poppy Seed** – Organic eggs, organic grass-fed raw butter, raw milk, raw honey, coconut flour, lemon extract, organic poppy seeds, baking powder, celtic sea salt
- Vanilla-Pecan** – Organic eggs, organic grass-fed raw butter, raw milk, raw honey, coconut flour, vanilla extract, baking powder, pecans, celtic sea salt
- Blueberry** – Organic eggs, organic grass-fed raw butter, raw milk, raw honey, coconut flour, almond extract, baking powder, sea salt, blueberries

BAKERY

- Cinnamon Raisin Bread** – Organic fresh ground whole wheat flour, organic unenriched unbleached wheat, raw honey, lard, organic raisins, celtic sea salt, raw vinegar, yeast, cinnamon
- Zucchini Bread** – Heritage wheat, honey, rapadura, olive oil, eggs, water, zucchini, baking soda, baking powder, cinnamon, cloves, celtic sea salt
- Pumpkin Bread**– Heritage wheat, raw honey, rapadura, olive oil, eggs, water, pumpkin, baking soda, baking powder, cinnamon, cloves, celtic sea salt
- Spelt Bread**– Organic fresh ground spelt flour, unbleached unenriched organic wheat flour, ground flax seed, raw honey, pure lard, raw vinegar, celtic sea salt, yeast, water,
- Sprouted Spelt Bread**– Sprouted grain spelt flour, water, raw honey, olive oil, eggs, celtic sea salt, vinegar, yeast
- 7-Grain Bread**– Rye, hard white wheat, hard red wheat, pearl barley, brown rice, spelt, millet, unbleached unenriched wheat flour, raw honey, celtic sea salt
- Sourdough Heritage Wheat Bread** – Heritage wheat, olive oil, honey, water, eggs, celtic sea salt
- Sourdough Wheat Bread** – Organic fresh ground wheat flour, unenriched unbleached wheat flour, water, honey, celtic sea salt
- Soaked Wheat Bread** – Ground wheat flour, unenriched wheat flour, water, honey, lard, yeast, celtic sea salt, vinegar
- Sourdough Rye Bread** – Fresh ground rye flour, unbleached unenriched organic wheat flour, water, honey, celtic sea salt
- Angel Food Cake** – Egg whites, unenriched unbleached white flour, raw honey, cream of tartar, vanilla extract, celtic sea salt
- Shoofly Pie – Crust:** Sprouted grain spelt flour, lard, celtic sea salt, water, baking powder
Filling: Baking molasses, rice syrup, rapadura, water, baking soda, eggs, sprouted spelt flour, lard
- Apple Pie – Crust:** Wheat flour, lard, baking powder, salt, rapadura, water, vinegar
Filling: Organic apples, water, maple syrup, stevia, tapioca starch, lemon, cinnamon
- Coconut Chocolate Chip Cookies (Gluten-free)** - Butter, eggs, coconut, coconut flour, gluten-free chocolate chips, raw honey, rapadura, vanilla, celtic sea salt

ICE CREAM

- Strawberry** – Strawberries, cream, milk, celtic sea salt, egg yolks, raw honey
- Butter Pecan** – Butter, pecans, cream, milk, celtic sea salt, egg yolks, raw honey
- Chocolate** – 100% plantation chocolate, cream, milk, celtic sea salt, egg yolks, raw honey
- Vanilla** – Rum, vanilla beans, arrowroot, butter, cream, milk, celtic sea salt, egg yolks, raw honey
- Raspberry** – Raspberries, lemon juice, cream, milk, celtic sea salt, egg yolks, raw honey
- Mint** – Peppermint flavoring, cream, milk, celtic sea salt, egg yolks, raw honey
- Chocolate Peanut Butter** – Organic peanut butter, butter, cocoa powder, cream, milk, celtic sea salt, egg yolks, raw honey
- Ginger** – Fresh ginger root, ginger pieces, cream, milk, celtic sea salt, egg yolks, raw honey
- Garlic Spread** – Chopped garlic scapes, crushed walnuts, mozzarella cheese, olive oil, celtic sea salt
- Raw Cheese Spread** – cream, butter, sour cream, milk, baking soda, celtic sea salt
- Eggnog** – Milk, cream, eggs, raw honey, nutmeg, cinnamon
- Egg Custard** – Soy-free eggs, milk, maple syrup, sea salt, vanilla extract, cinnamon
- Sour Cream** – Raw cream with a powdered culture added
- Crème Fraiche** – Is a European name for sour cream and uses cultured buttermilk
- Cream Cheese** – Cream, rennet, water
- Chocolate Milk** – raw milk, cocoa powder, maple syrup
- Cinnamon Milk** – Raw milk, honey, cinnamon, vanilla extract
- Goat Milk Soap (unscented)**– Olive oil, coconut oil, safflower oil, palm oil, beeswax, wheat germ, grape seed, honey, borax, glycerin, grapefruit seed extract
- Liquid Goat Soap** – Distilled water, goat milk, saponified oils from olive, coconut, castor, palm, safflower, grapeseed, borax, organic sugar, glycerin, honey, essential oils, potassium carbonate
- Homemade Supertonic** – onions, garlic, horseradish root, ginger, cayenne, ginger root, vinegar

EXHIBIT 3

Miller's Organic Farm
A Private Membership Association
648 Mill Creek School Rd.
Bird-in-Hand, PA 17505

May 2021 Specials

AVAILABLE ONLY WHILE EXCESS SUPPLY LASTS

To receive specials, please mention May Specials.

\$1.00 off per pound or container:

- All Buffalo Meat (excluding organs, tail, ribeye steak, New York Steak & pet food) - FROZEN
- Soy Free Chicken Eggs – must buy 4 or more dozen
- Duck Eggs – must buy 2 or more dozen
- Pickle Relish – qt.
- Camel Milk - FROZEN
- Plain & Garlic Goat Chevre – no salt
- Soy Free Chicken Necks & Backs - FROZEN
- Sheep Cottage Cheese – FROZEN
- Herbal Jack cheese – no salt
- All cow fall butter - FROZEN
- All A2 cow fall butter - FROZEN
- Cow Cheddar – salted only
- Fmtd. Vege Mix – pt.
- Bubble on the Ridge Goat Cheese – 1/2 lb
- Saffron

\$2.00 off per pound

- Camel Milk – (FROZEN) – must buy 30 pt or more
- Veal Cubes – FROZEN
- Veal Chuck Roast - FROZEN
- Soy Free Chicken Tenderloin
- Soy Free Turkey Tenderloin
- Local Honey w/ Honeycomb – must buy 2 or more
- Frozen Asparagus – must buy 2 or more
- All cow fall butter (FROZEN) – must order 8 lb. or more
- All A2 cow fall butter (FROZEN) – must order 8 lb. or more

\$4.00 off per pound

- All cow fall butter (FROZEN) – must order 20 lb or more
- All A2 cow fall butter (FROZEN) – must order 20 lb or more

NEW ITEM

- Fresh Asparagus - \$6.50/lb
- Fresh Rhubarb - \$5.00/lb
- Leg of Lamb (approx. wt. 3 lb) - \$17.50/lb
- Goose Eggs - \$3.50/egg
- Sheep Butter (salted & no salt) - \$20.00/8 oz.
- Plain Goat Greek Yogurt - \$15.00/qt.
- Salted Plain Goat Chevre - \$7.50/8 oz.
- Buffalo Hot Dogs - \$9.50/lb
- Buffalo Beef Hot Dogs - \$9.50/lb
- Chicken Necks & Backs (corn free) - \$6.75/lb
- Turkey Necks - \$5.75/lb
- Duck Broth - \$10.50/pt., \$18.75/qt.
- Whole Duck - \$8.50/lb
- Goat Tallow - \$12.00/pt.
- A2 Ice Cream-\$9.00/pt, \$14.00/qt(all flav. exc Dandy Blend)
- Chicken Eggs – Corn & Soy Free - \$10.00/doz.
- Goat Ice Cream - \$11.50/pt (vanilla, strawberry, chocolate)
- Bubble on the Ridge Goat Cheese - \$8.00/ 1/2 lb.

PRICE CHANGES

- Salmon – 2 lb fillet - \$15.50, portions \$17.50

OUT OF STOCK ITEMS

- **Goat Colostrum
- **Bone-In Chicken Breasts
- **Corn & Soy Free Chicken Breast (boneless & bone-in)
- **Corn & Soy Free Chicken Tenderloin
- **A2 & Regular Smoothies – Blackberry, Black Raspberry, Strawberry
- **Frozen Pureed Strawberries
- **Fermented Garlic
- **Ground Chicken – soy free
- **Corn & Soy Free Chicken Wings
- **Corn & Soy Free Chicken Wings
- **Frozen Blackberries & Blueberries

- **Frozen Sheep Colostrum
- **Amos Chips
- **Whole Beets
- **Fmtd. Amos Ketchup
- **Chicken Liver
- **Blueberry, Strawberry, Blackberry Jelly

Inventory Reduction
Blowout

All Frozen Cow Fall Butter

- 1-7 lbs. - \$1.00 off/lb
- 8-19 lbs. - \$2.00 off/lb
- 20 or more lbs. - \$4.00 off/lb

Inventory Reduction Blowout

Cow Cheddar
(salted only)

\$1.00 off/lb
(must mention to receive discount)

NEW ITEM
Bubble on the Ridge
Goat Cheese
\$7.00/ 1/2 lb.

All Fresh
Sheep & Goat Dairy
now available.

May 2021 Newsletter

Dear Members,

Spring greetings sent to you in the name of our Lord who has made things so well.

Yes indeed! This is a special time of year here at the farm. The reason is, after a few months of cold winter weather, in getting the feeling of warm spring, fresh air, and the animals out enjoying a diversity of grass, including herbs, dandelions, wild garlic, chickweed, etc. This leads to healthy animals which means we can then enjoy the nutrient density of these foods, created all as a gift from God our Creator.

Yes, indeed these grass forages, herbs, etc. do make a difference in the quality of our foods. You will notice when you obtain our raw cow dairy products (butter, cream, milk, etc.) that it will have a dark orange yellow color. This is all natural from the cow because she has access to outdoors with fresh air and sunshine. Of course, the diet that they are getting is nature at its best. For more information about grass-fed dairy products and its benefits, see westonaprice.org. We hope you get to enjoy the bountiful blessing that God has provided. We enjoy what we do. Thank you for your continued support!

We are very busy trying to fill your orders as fast as possible. Just a few things to remind you of that will help us help you.

Our business hours are Monday – Friday, 7:00-5:00, Saturday by appointment and closed Sunday. If we don't answer the phone during business hours, we are busy assisting other members. Please leave us a message. We usually receive that message within 1-2 hours. We try to return your call the same day. If we don't, it's because we ran out of time or we need to check into your request a bit further.

Please place your orders 1 -2 weeks prior to shipping for special items that we don't have on our price list. For example, buffalo, beef or pig feet, organs, etc.

Please place your order 1-2 days prior to shipping for food coops or drop sites. We should have your order 5-7 days prior to pick-up date.

For FedEx or UPS shipping, we try to get them out the same day, but that is not always possible, as we are very busy. Sometimes it takes up to a week depending on your request. For example, if you request a product that we are out of stock and/or you live in the western states and request ground shipping. FedEx and UPS are sometimes running 1-2 days behind schedule due to the volume of packages. Therefore, we here at the farm are trying to pack your box with extra ice so that your food arrives in good condition.

If your package arrives damaged or late, please open it and save what you can. It is always appreciated if our members can do that for us. If it would be possible, we would hand deliver it to you. Please report damages to us within 24 hours, otherwise your payment is due in full.

We are also accepting credit cards. We add a 3% convenience fee for credit card payments due to the cost of credit card processing. If we would add it to our products, as many businesses do, it would not be fair to our members that prefer to pay by check or money order.

Check or money order payments are due upon receipt of your packages. For all open invoices that have reached 30 days, we add 2% or a minimum of \$5.00 per month. After 3 months, it goes to a collection

agency. To avoid these fees, please pay upon receipt. Just a reminder that it can take up to 2 weeks or longer for us to receive your payment by mail. So please mail your payment upon the receipt of your package.

Free gift for May is one (1) pint of light cream with a \$100 purchase of food. (Must mention to receive.)

We will be closed on May 13 for Ascension Day and also on May 24. We will be open on May 31 (Memorial Day), but FedEx and UPS will not be running.

Here is a recipe from the kitchen of Becky Miller:

Roast Beef

1 (2-3 lb) roast (eye round, rump, chuck, round)

1 tsp. real salt or celtic sea salt per pound of meat

1/8 Cup honey (optional)

2-3 cups water

Sliced onions (optional)

Preheat oven to 350*. Sprinkle roast with black pepper and place in roast pan or baking dish. Add rest of ingredients. Cover and bake at 350* for 1 ½ - 2 hours. Reduce heat to 300* and bake for another 2-3 hours until very tender. Remove from oven. Let set for about 10 minutes. Cut or slice (whichever you prefer). The remaining juice makes excellent gravy.

To make gravy: Bring juice to a boil and thicken with your favorite thickening agent. We prefer tapioca starch.

Enjoy! This is very delicious!

May God bless you with health and happiness,

Miller's Organic Farm

Why Butter is Better

VITAMINS: Butter is a rich source of easily absorbed vitamin A, needed for a wide range of functions, from maintaining good vision to keeping the endocrine system in top shape. Butter also contains all the other fat-soluble vitamins (D, E and K₂), which are often lacking in the modern industrial diet.

MINERALS: Butter is rich in important trace minerals, including manganese, chromium, zinc, copper and selenium (a powerful antioxidant). Butter provides more selenium per gram than wheat germ or herring. Butter is also an excellent source of iodine.

FATTY ACIDS: Butter provides appreciable amounts of short- and medium-chain fatty acids, which support immune function, boost metabolism and have anti-microbial properties; that is, they fight against pathogenic microorganisms in the intestinal tract. Butter also provides the perfect balance of omega-3 and omega-6 essential fatty acids. Arachidonic acid in butter is important for brain function, skin health and prostaglandin balance.

CLA: When butter comes from cows eating green grass, it contains high levels of conjugated linoleic acid (CLA), a compound that gives excellent protection against cancer and also helps the body build muscle rather than store fat.

GLYCOSPINGOLIPIDS: These are a special category of fatty acids that protect against gastro-intestinal infections, especially in the very young and the elderly. Children given reduced fat milks have higher rates of diarrhea than those who drink whole milk.

CHOLESTEROL: Despite all of the misinformation you may have heard, cholesterol is needed to maintain intestinal health and for brain and nervous system development in the young.

WULZEN FACTOR: A hormone-like substance that prevents arthritis and joint stiffness, ensuring that calcium in the body is put into the bones rather than the joints and other tissues. The Wulzen factor is present only in raw butter and cream; it is destroyed by pasteurization.

The Weston A. Price Foundation

- Provides a reliable source of accurate nutrition information.
- Provides a strong voice against imitation foods.
- Does not receive funding from any government agency, nor from the meat and dairy industries.
- Campaigns for a return to healthy traditional fats.
- Warns consumers about the dangers of modern soy foods.
- Promotes access to unprocessed whole milk products from pasture-fed animals.
- Keeps members informed through *Wise Traditions*, a lively quarterly journal.
- Maintains two popular websites: westonaprice.org and realmilk.com.
- Helps consumers find healthy, farm-fresh foods through a system of local chapters.

Local chapter and membership information is posted at www.westonaprice.org, or call (202) 363-4394.

Compliments of:

SOURCES AND FURTHER INFORMATION

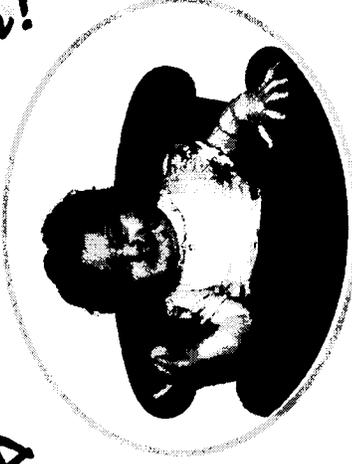
Know Your Fats by Mary G. Eng, PhD

www.bethesdapress.com

www.westonaprice.org/knowyourfats

www.westonaprice.org/food/features/butter.html
www.realmilk.com

Butter is Better!



THE WESTON A. PRICE FOUNDATION®

for *Wise Traditions*

IN FOOD, FARMING AND THE HEALING ARTS

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PMB Box 106-380

4200 Wisconsin Avenue, NW
Washington, DC 20016

(202) 363-4394

info@westonaprice.org
www.westonaprice.org

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Butter and Your Health

HEART DISEASE: Butter contains many nutrients that protect against heart disease including vitamins A, D, K₂ and E, lecithin, iodine and selenium. A Medical Research Council survey showed that men eating butter ran half the risk of developing heart disease as those using margarine (*Nutrition Week* 3/22/91, 21:12).

CANCER: The short- and medium-chain fatty acids in butter have strong anti-tumor effects. Conjugated linoleic acid (CLA) in butter from grass-fed cows also gives excellent protection against cancer.

ARTHRITIS: The Wulzen or "anti-stiffness" factor in raw butter and also vitamin K₂ in grass-fed butter, protect against calcification of the joints as well as hardening of the arteries, cataracts and calcification of the pineal gland. Calves fed pasteurized milk or skim milk develop joint stiffness and do not thrive.

OSTEOPOROSIS: Vitamins A, D and K₂ in butter are essential for the proper absorption of calcium and phosphorus and hence necessary for strong bones and teeth.

THYROID HEALTH: Butter is a good source of iodine, in a highly absorbable form. Butter consumption prevents goiter in mountainous areas where seafood is not available. In addition, vitamin A in butter is essential for proper functioning of the thyroid gland.

DIGESTION: Glycosingolipids in butterfat protect against gastro-intestinal infection, especially in the very young and the elderly.

GROWTH & DEVELOPMENT: Many factors in butter ensure optimal growth of children, especially iodine and vitamins A, D and K₂. Lowfat diets have been linked to failure to thrive in children—yet lowfat diets are often recommended for youngsters!

ASTHMA: Saturated fats in butter are critical to lung function and protect against asthma (*Thorax*, Jul 2003;58(7):567-72).

Butter and Your Health

OVERWEIGHT: CLA and short- and medium-chain fatty acids in butter help control weight gain.

FERTILITY: Many nutrients contained in butter are needed for fertility and normal reproduction.

Bad Things in Margarine, Shortenings and Spreads

TRANS FATS: These unnatural fats in margarine, shortenings and spreads are formed during the process of partial hydrogenation, which turns liquid vegetable oil into a solid fat. *Trans* fats contribute to heart disease, cancer, bone problems, hormonal imbalance and skin diseases; infertility, difficulties in pregnancy and problems with lactation; and low birth weight, growth problems and learning disabilities in children. Recently a US government panel of scientists determined that man-made *trans* fats are unsafe at any level. (Small amounts of natural *trans* fats occur in butter and other animal fats, but these are not harmful.)

FREE RADICALS: Free radicals and other toxic breakdown products are the result of high temperature industrial processing of vegetable oils. They contribute to numerous health problems, including cancer and heart disease.

SYNTHETIC VITAMINS: Synthetic vitamin A and other vitamins are added to margarine and spreads. These often have an opposite (and detrimental) effect compared to the natural vitamins in butter.

EMULSIFIERS and PRESERVATIVES: Numerous additives of questionable safety are added to margarines and spreads. Most vegetable shortening is stabilized with preservatives like BHT.

HEXANE and OTHER SOLVENTS: Used in the extraction process, these industrial chemicals can have toxic effects.

BLEACH: The natural color of partially hydrogenated vegetable oil is grey so manufacturers bleach it to make it white. Yellow coloring is then added to margarine and spreads.

ARTIFICIAL FLAVORS: These help mask the terrible taste and odor of partially hydrogenated oils, and provide a fake butter taste.

MONO- and DI-GLYCERIDES: These contain *trans* fats that manufacturers do not have to list on the label. They are used in high amounts in so-called "low-*trans*" spreads.

SOY PROTEIN ISOLATE: This highly processed powder is added to "low-*trans*" spreads to give them body. It can contribute to thyroid dysfunction, digestive disorders and many other health problems.

STEROLS: Often added to spreads to give them cholesterol-lowering qualities, these estrogen compounds can cause endocrine problems; in animals these sterols contribute to sexual inversion.

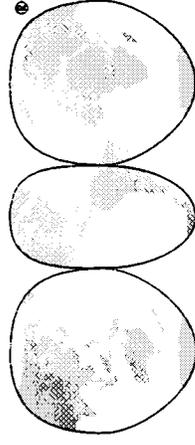
How to Purchase Butter

BEST: Raw butter from grass-fed cows.

GOOD: Pasteurized butter from grass-fed cows.

STILL GOOD: Regular pasteurized butter from supermarkets—still a much healthier choice than margarine or spreads.

FOR SOURCES, contact the Weston A. Price Foundation and request our Shopping Guide; visit www.realmilk.com; or contact your nearest local chapter, posted at www.westonaprice.org.





May 2021

**Millers Organic Farm
Private Membership Association**

648 Mill Creek School Road, Bird-in-Hand, PA 17505 (717) 556-0672

Leave message with order.

When placing an order, please allow 24-36 hrs. for shipping to avoid a rush order fee.

Prices are subject to change without notice.

RAW COW MILK & DAIRY

Butter

- No salt - \$7.75/8oz, \$12.50/lb
- Salted - \$8.00/8oz, \$13.00/lb
- Cultured, no salt- \$8.50/8oz, \$14.50/lb
- Cultured, salted- \$8.75/8oz, \$15.00/lb
- Buttermilk - \$2.00/quart
- Buttermilk, cultured - \$2.50/quart
- Cheese Spread - \$5.00/8oz, \$8.50/lb
- Colostrum, first - \$10.50/pt, \$19.50/qt
- Colostrum, regular - \$4.00/pt, \$7.50/qt
- Cottage cheese - w/o cream \$4.50/pt, w/ cream \$5.00/pt
- Cottage Cheese in glass bottle - w/o cream \$6.00/pt, w/ cream \$6.50/pt

Cream

- Heavy in glass bottle - \$8.50/pt, \$14.50/qt, \$28.50/half gal
- Heavy - \$7.50/pt, \$13.50/qt, \$32.00/5lb (2 ½ qt.)
- Light in glass bottle - \$7.50/pt, \$13.00/qt, \$24.00/half gal
- Light - \$6.50/pt, \$12.00/qt, \$20.00/hf gal
- Cream Cheese - \$5.00/8oz, \$9.00/lb
- Crème fraiche - \$8.00/pt, \$14.50/qt
- Custard, Egg - \$7.50/pt
- Eggnog - \$6.50/qt
- Ghee - \$16.50/pt.

Kefir

- Mild - \$3.00/pt, \$5.50/qt
- Regular (mixed mild-strong) - \$3.00/pt, \$5.50/qt
- Strong - \$3.00/pt, \$5.50/qt
- Grains - strong \$2.50/tsp, mild \$6.50/tsp

Milk

- \$4.50/hf gal, (\$8.00/gal co-ops only)
- Glass bottle - \$7.00/hf gal w/handle, \$11.00/gal no handle - (co-ops only)
- Chocolate - \$6.50/ ½ gal., \$12.00/gal.
- Cinnamon - \$4.00/qt., \$6.50/ ½ gal.
- Sour Cream - \$8.00/pt, \$14.50/qt
- Whey - \$2.00/qt, \$2.75/hf gal
- Yogurt - \$2.50/pt, \$4.50/qt
- Yogurt, Greek - Plain - \$5.00/pt, \$8.50/qt
- Maple - \$5.50/pt, \$8.75/qt

Yogurt Smoothies

- Blackberry - \$6.00/pt. (Out of Stock)
- Black Raspberry - \$6.00/pt. (Out of Stock)
- Red Raspberry - \$6.00/pt
- Strawberry - \$6.00/pt. (Out of Stock)

ICE CREAM—\$7.00/pt., \$12.00/qt.

- Blackberry
- Butter Pecan
- Chocolate
- Chocolate Peanut Butter
- Dandy Blend—only available in qt.
- Maple Walnut
- Mint
- Strawberry
- Vanilla

RAW HARD COW CHEESE—SALTED

- Blue Cheese (soft)—\$13.75/lb
- Cheddar—\$7.75/lb, \$7.00/lb for 5-6 lb. block
- Cheddar, Garlic -\$7.75/lb, \$7.00/lb for 5-6 lb block
- Cheddar, Sharp, -\$7.75/lb, \$7.00/lb for 5-6 lb block
- Cheddar, Smoked - \$11.00/lb
- Colby—\$7.25/lb, \$6.50/lb for 5-6 lb. block
- Colby Dill- \$7.25/lb, \$6.50 for 5-6 lb block
- Farmers—\$7.25/lb, \$6.50 for 5-6 lb. block
- Gouda—\$8.50/lb (1 lb or 5 lb block)
- Havarti - \$8.50/lb
- Herbal Jack— \$7.25/lb, \$6.50/lb for 5-6 lb block
- Monterey Jack—\$7.25/lb, \$6.50/lb for 5-6 lb. block
- Mozzarella (aged) - \$9.50lb
- Pepper Jack—\$7.25/lb, \$6.50/lb for 5-6 lb. block
- Swiss—\$7.25/lb, \$6.50/lb or 5-6 lb. block

RAW HARD COW CHEESE—NO SALT

- Cheddar—\$7.75/lb, \$7.00/lb for 5-6 lb. block
- Cheddar, Sharp -\$7.75/lb, \$7.00/lb for 5-6 lb block
- Gouda—\$8.50/lb (1 lb or 5 lb block)
- Herbal Jack— \$7.25/lb, \$6.50/lb for 5-6 lb block
- Monterey Jack—\$7.25/lb, \$6.50/lb for 5-6 lb. block
- Swiss—\$7.25/lb, \$6.50/lb or 5-6 lb. block

A2 Milk & Dairy

A2 RAW COW MILK & DAIRY

A2 Butter

- No salt - \$9.75/8oz, \$14.50/lb
- Salted - \$10.00/8oz, \$15.00/lb
- Cultured, no salt - \$10.50/8oz, \$16.50/lb
- Cultured, salted - \$10.75/8oz, \$17.00/lb

A2 Buttermilk - \$4.00/quart

A2 Buttermilk, cultured - \$4.50/quart

A2 Cheese

- Cheddar, Mild (salted) - \$9.75/lb
- Cheddar (no salt) - \$9.75/lb
- Cheddar, Sharp - \$9.75/lb
- Farmers - \$9.25/lb
- Swiss (salted) - \$9.25/lb

A2 Colostrum, first - \$12.50/pt, \$21.50/qt

A2 Colostrum, regular - \$6.00/pt, \$9.50/qt

A2 Cottage cheese - w/o cream \$6.00/pt, w/ cream \$6.50/pt

A2 Cottage Cheese in glass bottle - w/o cream \$7.50/pt, w/ cream \$8.00/pt

A2 Cream Cheese - \$7.00/8oz, \$11.00/lb

A2 Cream

Heavy in glass bottle - \$10.50/pt, \$16.50/qt, \$30.50/hf gal

Heavy - \$9.50/pt, \$15.50/qt, \$34.00/5lb (2 ½ qt.)

Light in glass bottle - \$9.50/pt, \$15.00/qt, \$26.00/half gal

Light - \$8.50/pt, \$14.00/qt, \$22.00/hf gal

A2 Crème fraiche - \$10.00/pt, \$16.50/qt

A2 Ghee - \$18.50/pt

A2 Ice Cream—(Willow Run Dairy) \$9.00/pt., \$14.00/qt.

- Blackberry
- Butter Pecan
- Chocolate
- Chocolate Peanut Butter
- Maple Walnut
- Mint
- Strawberry
- Vanilla

A2 Kefir

Mild - \$5.00/pt, \$7.50/qt

Regular (mixed mild-strong) - \$5.00/pt, \$7.50/qt

Strong - \$5.00/pt, \$7.50/qt

Grains - strong \$4.50/tsp, mild \$8.50/tsp

A2 Milk - \$6.50/hf gal, (\$10.00/gal co-ops only)

A2 Milk in glass bottle - \$9.00/hf gal w/ handle, \$13.00/gal no handle - co-ops only

A2 Sour Cream - \$10.00/pt, \$16.50/qt

A2 Whey - \$4.00/qt, \$4.75/hf gal

A2 Yogurt - \$4.50/pt, \$6.50/qt

A2 Yogurt, Greek - Plain - \$7.00/pt, \$10.50/qt

Maple - \$7.50/pt, \$10.75/qt

A2 Yogurt Smoothies

- Blackberry - \$8.00/pt (Out of Stock)
- Black Raspberry - \$8.00/pt (Out of Stock)
- Red Raspberry - \$8.00/pt
- Strawberry - \$8.00/pt. (Out of Stock)

RAW WATER BUFFALO MILK & DAIRY (A2)

Butter, raw - \$12.50/ ½ lb.

Butter, cultured (salt & no salt) - \$13.50/ hf lb.

Cheese

- Buffalo Jack - \$12.50/ ½ lb
- Buffalo Sheep Blend Feta - \$19.50/lb
- Buffeta - \$12.50/ ½ lb block
- Camembert - \$12.00/6 oz. wheel
- Cheddar - \$12.50/ ½ lb. block
- Hot Jack—\$12.50/ 1/2 lb. block

Cheese Spread, soft (sp. flavor: plain, garlic & chives, chipotle heat, herbal bliss)- \$6.75/8oz.

Colostrum, frozen - \$9.50/pt

Cottage Cheese - \$12.50/pt.

Cream - \$14.00/ 8 oz.

Egg Custard - \$10.50/pt.

Ice Cream - (van.) - \$19.50/qt.

Kefir—\$8.00/pt.

Milk - \$6.00/pt, \$10.00/qt, \$19.50/hf gal., (\$35.00/gal. coops only)

Whey - \$6.00/qt.

Yogurt - \$8.00/pt, \$13.00/qt

GRASSFED FARM FRESH FOODS

Our cows are on a high forage diet and are fed no grain to ensure a higher quality, more nourishing and better tasting food.

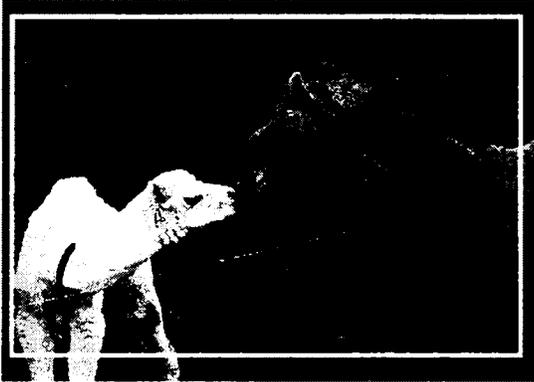
Farm Store Hours

Mon—Fri. 8:00 AM—4:30 PM EST

Saturday by appointment

No Sunday Sales

Shipping options include FedEx Ground and FedEx Overnight. Handling charges are \$8 - \$16 per box, depending on size and content (shipping not included) When shipping eggs with FedEx, please add \$1.00 per dozen eggs ordered.



RAW CAMEL DAIRY

Kefir - \$18.00/pt.

Milk - 1-10 pts.—\$16.00/pt,

11-30 pts.—\$13.50/pt.

31 or more pts.—\$12.00/pt.

Milk Soap - \$6.50/bar

Yogurt - \$18.00/pt.

RAW DONKEY DAIRY

Milk—\$20.00/pt.

RAW SHEEP MILK & DAIRY

*Butter (salted & no salt) - \$20.00 / 8oz.

Cheese

Feta (salt & no salt) - \$16.50/lb

Feta, Sheep Buffalo Blend - \$19.50/lb.

Lucious Lamp - \$15.00/ ½ lb

Colostrum, Frozen- \$29.00/pt (Out of Stock)

Cottage Cheese - \$18.00/16 oz.

Cream - \$18.00/8 oz.

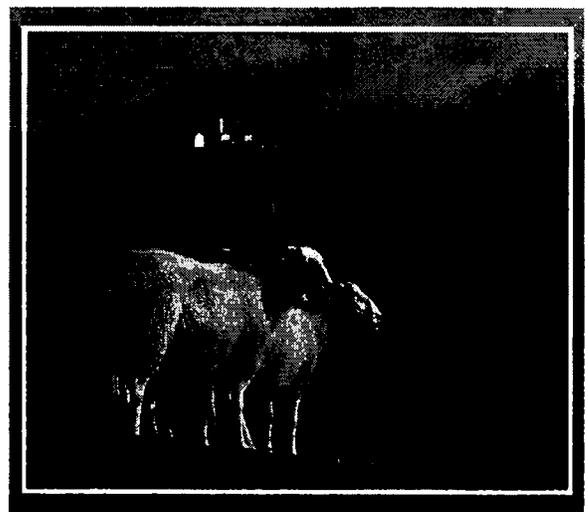
Kefir - \$19.00/qt

Milk - \$14.00/qt, (loaded w/Vita C)

Milk, Frozen- \$16.00/ hf gal.

Pet Food - \$9.00/lb

Yogurt - \$19.00/qt



IMPORTANT ORDERING INFORMATION

We use insulated boxes with ice-packs accordingly. Prices subject to change without notice. When placing an order, it is your responsibility to clearly specify exactly what you want as we have quite a few options such as: salted or unsalted cheese, frozen or unfrozen meats, washed or unwashed & unrefrigerated eggs, so please be aware of such options. We are not liable for any unclear orders but will use our best judgment. Thank you kindly for your support, and we look forward to providing you with healthy food.

RAW GOAT MILK & DAIRY

11 Strain Probiotic Drink - \$7.50/pt
Butter (salted or no salt) - \$10.50/4oz
Buttermilk - \$6.75/pt.

Cheese

*Bubble on the Ridge Cheese - \$8.00/ ½ lb.
Cheddar (hard) (salted)- \$14.50/lb
Chevre, Garlic (no salt) (soft) - \$7.50/8oz
Chevre, Plain (salted & no salt) (soft)- \$7.50/8 oz.
Feta (salted & no salt) - \$15/ ½ lb, \$13.50/ 1 lb
Colostrum—\$29.00/pt. (Out of Stock)
Cottage Cheese - \$12.50/lb
Cream - \$15.50/8oz
*Ice Cream (Vanilla, Strawberry, Chocolate) - \$11.50/pt.
Kefir - \$9.50/qt
Milk - \$6.00/qt, \$10.00/hf gal
Milk in glass bottle - \$12.00/hf gal
Soap, Goat Milk - \$3.75/bar
Soap, Unscented Oatmeal Goat—\$3.75/bar
Soap, Liquid, Goat—\$8.25/8 oz.
Whey - \$6.00/qt
Yogurt - \$9.50/qt
*Yogurt, Greek (plain) - \$8.00/pt., \$15.00/qt



WATER BUFFALO MEAT

Bacon - \$17.50/lb
Bologna—\$9.50/lb

Bones

Knuckle —\$5.00/lb
Marrow - \$18.50/lb
Regular —\$4.50/lb
Soup —\$10.75/lb
Brains—\$20.25/half lb

Brisket—\$12.50/lb

Broth - \$8.75/pt., \$12.75/qt.

Buffalo, Ground - \$10.00/lb

Buffalo, Ground w/ Organs -
\$14.00/lb

Cubes - \$12.00/lb

Fat, Raw—\$5.00/lb

Glands

Adrenal —\$30.50/lb

Thymus —\$30.50/lb

Thyroid —\$30.50/lb

Heart—\$12.50/lb

*Hot Dogs—\$9.50/lb

*Hot Dogs, Buffalo Beef—\$9.50/lb

Jerky - \$8.75/ 4 oz.

Kidney—\$10.50/lb

Liver—\$17.50/lb

Pet Food - \$6.75/lb

Ribs—\$6.50/lb

Roasts

Chuck —\$8.50/lb

Eye Round —8.50/lb

Round —\$9.50/lb

Rump —10.50/lb

Sausage - \$10.00/lb

Steaks

Chip Steak—\$11.50/lb

Delmonico—\$15.00/lb

Flank —\$20.50/lb

London Broil—\$11.50/lb

New York - \$18.50/lb

Ribeye - \$18.50/lb

Round —\$10.00/lb

Shoulder w/ sm. marrow
bone—\$9.00/lb

Sirloin—\$11.50/lb

Sirloin Tip —\$10.50/lb

Skirt —\$20.50/lb

T-bone —\$20.50/lb

Stix - \$7.00/ ½ lb

Tail—\$16.50/lb

Tallow - \$4.00/pt., \$8.00/qt

Tenderloin - \$30.50/lb

Tongue—\$10.50/lb





Poultry & Meats

CHICKEN - Soy-FREE

- Breasts, bone-in (1/pk, avg 1 ½ lb) - \$11.50/lb(Out of Stock)
- Breasts, boneless (1/pk, avg. 1lb) - \$14.00/lb
- Broth - \$5.50/pt, \$8.75/qt
- Chicken, Ground - \$12.50/lb (Out of Stock)
- Eggs, Fertile - \$7.00/doz
- Fat, Raw - \$4.50/lb
- Fat, Rendered - \$4.75/pt., \$7.75/qt.
- Fryers, Whole (avg. 4-6 lb) - \$ 5.95/lb
- Fryers, Smoked (avg. 4-6 lb) - \$7.95/lb
- Gizzard - \$6.75/lb
- Hearts - \$ 19.50/lb
- Legs & Thighs (2/pk, avg 1 ½-2lb) - \$ 6.75/lb
- Liver - \$17.50/lb (Out of Stock)
- Necks & Backs (1/pk, avg 2 lb) - \$ 6.75/lb
- Pet Food: Ground - \$6.75/lb
- Pie, Chicken - \$12.00/6 in., \$17.00/9 in
- Soup, Chicken Noodle - \$7.00/pt, \$12.50/qt
- Soup, Liver - \$11.25/pt, \$19.00/qt

Stock

- Feet - \$ 1.50/ea
- Heads - \$2.00/ea
- Whole Bird (avg 3 lb) - \$5.00/lb
- Tenderloin (no bone or skin) - \$23.50/lb
- Wings - \$ 5.75/lb

CHICKEN - Corn & Soy FREE

- Breasts, bone-in - \$12.50/lb (Out of Stock)
- Breasts, boneless - \$15.00/lb (Out of Stock)
- *Eggs—\$10.00/doz.
- Fryers, Whole - \$6.95/lb
- Legs & Thighs - \$7.75/lb
- *Neckis & Backs—\$6.75/lb
- Tenderloin - \$24.50/lb (Out of Stock)
- Wings - \$6.75/lb (Out of Stock)

DUCK

- *Broth—\$10.50/pt., \$18.75/qt.
- *Duck, Whole—\$8.50/lb
- Eggs - \$10.00/doz.

GOOSE

- *Eggs—\$3.50/egg

TURKEY - Soy-FREE

- Backs—\$5.75/lb
- Breast - \$12.50/lb
- Breast, Smoked, Sliced - \$15.50/lb.
- Broth - \$5.50/pt, \$8.75/qt.
- Gizzards - \$6.50/lb
- Heart - \$13.50/lb
- Legs - \$8.00/lb
- Liver - \$13.50/lb
- *Necks —\$5.75/lb
- Sausage - \$15.50/lb
- Scrapple - \$7.50/lb
- Tenderloin - \$17.50/lb
- Thighs - \$12.50/lb
- Turkey, Ground - \$13.50/lb
- Turkey, Whole - \$5.25/lb
- Turkey, Whole, Smoked - \$6.75/lb
- Wings - \$6.75/lb



GRASSFED BEEF

Beef, Ground \$8.00/lb, 2lb fam.Pk - \$7.00/lb

Beef, Ground w/ organs - \$13.00/lb

Bologna, All Beef- \$8.50/lb

Bones

Knuckle - \$4.00/lb

Marrow - \$17.50/lb

Regular - \$3.50/lb

Soup - \$9.75/lb

Brains - \$19.25/half lb

Brisket - \$11.50/lb

Broth - \$5.50/pt, \$8.75/qt

Cubes - \$10.50/lb

Fat, Raw - \$4.00/lb

Glands

Adrenal - \$29.50/lb

Thymus- \$29.50/lb

Thyroid - \$29.50/lb

Heart - \$11.50/lb

Hotdogs, All Beef - \$9.50/lb

*Hot dogs, Buffalo Beef—\$9.50/lb

Jerky - \$7.75/4 oz

Kidney - \$9.50/lb

Liver - \$16.50/lb

Patties, Ground Beef - \$9.00/lb

Pet Food: ground beef & organs - \$5.75/lb

Ribs - \$5.50/lb

Roasts

Chuck - \$7.50/lb

Eye Round - \$7.50/lb

Round - \$8.50/lb

Rump - \$9.50/lb

Sausage - \$8.00/lb

Steaks

Chip Steak - \$10.50/lb

Delmonico - \$14.00/lb

Flank - \$19.50/lb

London Broil - \$10.50/lb

New York - \$17.50/lb

Rib Eye - \$18.50/lb

Round - \$9.00/lb

Shoulder w/ small marrow bone- \$8.00/lb

Sirloin - \$10.50/lb

Sirloin Tip - \$9.50/lb

Skirt - \$19.50/lb

T-bone - \$19.50/lb

Stew Meat - \$8.50/lb

Tail, Ox, avg wt 1-3lbs @ \$15.50/lb

Tallow - \$4.00/pt, \$6.75/qt

Tenderloin - \$29.50/lb

Tongue, Ox - \$9.50/lb

VEAL

Will substitute w/ beef if not in stock.

All veal is frozen.

Broth - \$6.50/pt, \$9.75/qt.

Cubes - \$11.50/lb

Ground Veal - \$10.50/lb

Heart - \$13.00/lb

Liver - \$30.50/lb

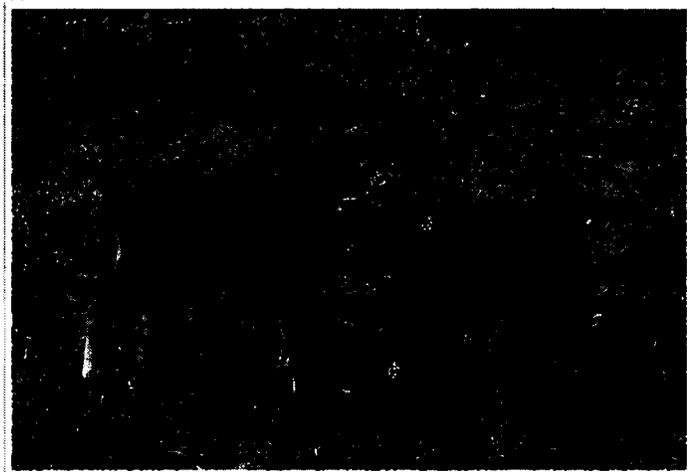
Roast, Chuck - \$9.50/lb

Steak

Flank - \$17.50/lb

New York - \$19.50/lb

Round - \$10.50/lb





MILK-FED PORK

Bacon

- Canadian (cured & salted)- \$12.50/lb
- Canadian (raw & unsalt) - \$11.50/lb
- Country (cured-salted) - \$11.50/lb
- Country (raw & unsalted) – \$10.50/lb
- Cured & salted - \$14.50/lb
- Raw & unsalted - \$12.50/lb
- Bologna, Pork Roll - \$7.50/lb
- Brains - \$14.25/half lb
- Broth - \$4.00/pt, \$6.50/qt
- Chops - \$10.25/lb
- Fat, Raw - \$5.00/lb

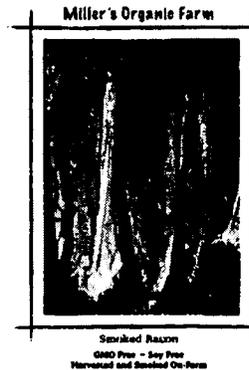
Ham

- Cured and Salted Sliced - \$7.50/lb
- Raw, sliced - \$6.00/lb
- Whole, cured-salt, avg wt 7-10 lbs @\$7/lb
- Steak, Cured/ Salted (3/4" th) – \$7/lb
- Ham & Bacon, Ground (cured, salt) - \$6.50/lb
- Ham Hock, raw & unsalted - \$7.00/lb
- Ham Hock, cured & salted - \$8.00/lb
- Hot Dogs (pork & beef, no nitrates)-\$8.50/lb
- Lard - \$6.00/pt, \$8.50/qt , \$13.50/5 lb
- Liver - \$6.50/lb

- Liverwurst - \$6.50/lb
- Organs - \$6.50/lb
- Pet Food (ground pork w/organs) - \$5.25/lb
- Pork, Ground - \$7.00/lb
- Pork, Ground w/ organs - \$7.25/lb
- Roast, avg wt 2-4lbs @ \$8.00/lb
- Roast, Loin avg wt 2-3lb - \$9.50/lb

Sausage

- Links, Breakfast - \$8.50/lb
- Links, Italian Breakfast - \$9.00/lb
- Liverwurst - \$9.50/lb
- Loose - \$7.50/lb
- Rope - \$8.00/lb
- Scrapple - \$6.50/lb
- Shoulder, bone in (8-12 lb.) - \$7.50/lb
- Spare Ribs - \$8.50/lb
- Spare Ribs (cured, salted) - \$10.50/lb
- Steak - \$8.00/lb
- Steak, Tenderloin - \$22.50/lb



SEAFOOD

- Broth, Fish - \$7.50/pt, \$12.75/qt
- Haddock, Icelandic - \$9.50/lb
- *Salmon, Alaska Wild- whole fillets \$15.50/lb, portions \$17.50/lb

RABBIT

- Heart & Kidney - \$19.50/lb
- Liver - \$19.50/lb
- Whole (3 lb) - \$11.50/lb

LAMB

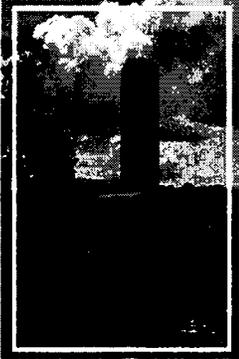
- Brains - \$22.25/half lb
- Broth - \$6.50/pt, \$9.75/qt
- Chops - \$23.50/lb
- Cubes - \$17.00/lb
- Lamb, Ground - \$13.00/lb
- Lamb, Gr w/ organs - \$15.50/lb
- *Leg of Lamb(approx. 3 lb)-\$17.50/lb
- Liver - \$13.00/lb
- Roast - \$17.50/lb
- Stew Meat (cubes) - \$17.00/lb
- Tallow - \$9.00/pt.

GOAT

- Broth - \$9.50/pt., \$17.75/qt.
- Chops - \$25.50/lb
- Cubes - \$17.00/lb
- Goat, Ground - \$13.00/lb
- Goat, Ground w/ organs—\$15.00/lb
- Roast - \$19.50/lb
- *Tallow—\$12.00/pt.

MUTTON

- Broth - \$5.50/pt., \$8.75/qt.



Nuts, Fruits & Veggies

CRISPY NUTS (12 oz bag)

- Almonds - \$15.00
- Black Walnuts - \$15.00
- Brazil Nuts - \$14.00
- Cashews - \$12.00
- English Walnuts - \$16.00
- Honey & Spice Nuts - \$16.00
- Pecans - \$16.00
- Pumpkin Seeds - \$7.00
- Seasoned Mix - \$16.00
- Sunflower Seeds - \$7.00
- Sweet & Spicy Nut Mix - \$16.00
- Trail Mix - \$16.00

FRUITS

- Apple Butter - \$4.00/8 oz., \$7.00/16 oz
- Applesauce - \$6.75/pt
- Blackberries, Frozen—\$6.00/pt (Out of Stock)
- Blueberries, Frozen - \$6.00/pt. (Out of Stock)
- Jelly - \$6.00/8 oz
 - Blackberry (Out of Stock)
 - Blueberry (Out of Stock)
 - Strawberry (Out of Stock)
- Strawberries, Frozen Pureed - \$8.50/pt. (OOS)

VEGGIES

- *Asparagus, Fresh—\$6.50/lb
- Asparagus, Frozen - \$6.50/lb
- Beans, String, Frozen—\$9.00/lb
- Beets, Pickled- \$4.50/pt, \$7.50/qt
- Carrots, Fresh - \$3.00/lb
- Garlic, Fresh - \$8.00/lb.
- Okra, Pickled - \$6.50/pt, \$11.50/qt
- Onions, Fresh - \$3.00/lb
- Peas, Green, Frozen - \$12.50/lb.
- Pickles, Garlic Dill - \$4.75/pt, \$7.50/qt
- Puree, Asparagus - \$7.50/pt
- Puree, Tomato - \$3.00/8 oz., \$5.75/16 oz.
- Relish, Zucchini- \$5.75/pt
- *Rhubarb, Fresh—\$5.00/lb
- Rhubarb, Frozen - \$5.00/lb
- Spread, Garlic - \$4.75/5oz
- Sweet Potatoes (purple) - \$3.00/lb
- Veggie Box, Lancaster Farm Fresh (Med.) - \$35.00/box

FERMENTED VEGGIES

- Beet Kvass - \$6.00/qt
- Beets - \$4.50/pt, \$7.50/qt
- Cabbage Juice, Green - \$7.50/qt
- Carrots & Onions- \$4.75/pt
- Chow Chow - \$5.50/pt., \$9.50/qt
- Daikon Radish - \$4.75/pt.
- Daikon Radish Juice - \$4.50/pt.
- Garlic - \$9.50/8 oz (Out of Stock)
- Horseradish - \$6.75/8oz
- Ketchup, Amos - \$5.75/8oz, \$9.00/pt (Out of Stock)
- Kimchee - \$6.50/pt, \$11.50/qt
- Kimchee Juice - \$7.50/qt
- Onions - \$4.75/pt
- Pickles, Bread & Butter - \$5.00/pt, \$8.50/qt
- Pickles, Dill Whole - \$5.75/pt, \$8.50/qt
- Relish, Pickle - \$4.75/pt, \$7.75/qt
- Salsa, Tomato - \$4.75/pt
- Salsa, Hot - \$4.75/pt
- Sauerkraut - \$4.50/pt, \$8.00/qt
- Vege Mix - \$5.50/pt

Bakery & Drinks

BAKERY

Breads

Bread, Sliced, any type – add \$2.00/loaf
7-grain, Sourdough - \$6.00/loaf
Cinn-Raisin Wheat, Soaked - \$6.00/loaf
Einkorn - \$8.00/loaf
Pumpkin—\$6.00/loaf
Rye, Sourdough—\$6.00/loaf
Spelt, Sprouted - \$8.00/loaf
Wheat, Sourdough—\$6.00/loaf
Wheat, Sourdough Heritage - \$7.00/loaf
Zucchini – \$6.00/loaf

Pies

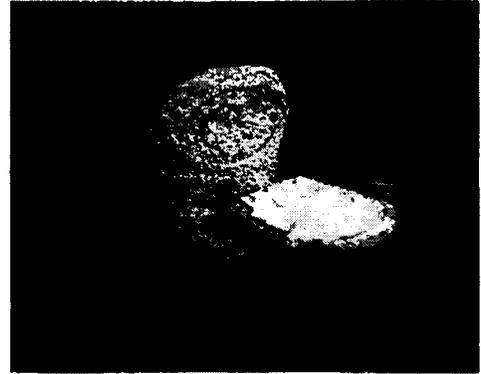
Shoofly (8") - \$8.00
Apple (8") - \$9.00
Rhubarb Crumb (8") - \$9.00
Cake, Angel Food - \$8.50/ hf cake

Muffins

Blueberry, Gluten Free—\$7.50/hf doz
Coconut, Gluten Free—\$7.50/hf doz
Lemon-Poppy, Gluten Free—\$7.50/hf doz
Rhubarb Crumb - \$9.50/ hf doz.
Vanilla-Pecan, Gluten Free—\$7.50/hf doz

Cookies

Almond Butter Chocolate Chip - \$6.50/hf doz,
\$12.00/doz (not 100% organic)
Coconut Choc. Chip Cookies - \$5.00/hf doz, \$9.50/doz
Oatmeal Raisin Cookies - \$6.50/ hf doz., \$12.00/doz.



DRINKS

Red Raspberry Juice—\$14.00/qt
Carrot Juice, Frozen - \$10.00/pt
Cider, Raw Pear - \$10.50/ ½ gal.
Cider, Raw Apple - \$8.00/qt, \$11.50/ ½ gal, \$17.00/gal
Ginger Ale – \$6.00/qt
Grape Juice, Frozen Cold Pressed - \$9.50/ ½ gal
Jun—\$6.00/qt.

Kefir, Water - \$7.00/qt

Apple
Blueberry
Cherry
Cranapple
Ginger
Grape
Plain

Kombucha, Cranberry - \$6.00/qt
Kombucha Tea – \$5.00/qt
Kvass, Fermented Sourdough – \$6.00/2liters
Lemonade, Fermented - \$6.00/qt
Limeade - \$6.00/qt.

Staples, Treats & Misc.

STAPLES

Extract, Vanilla - \$22.75/4 oz.

Honey

Clover - \$12.75/pt

Honey w/ honeycomb, Local—\$12.00/ 8 oz.

Miller's Raw - \$15.00/pt.

Pure Raw —\$43.75/5 lb.

Really Raw - \$13.75/16 oz., \$43.75/5lb.

Wild Flower - \$8.00/17oz, \$23.50/5lbs

Maple Syrup (Grade A) - \$14.50/qt.

Maple Syrup (Grade B) – \$16.50/qt, \$52.00/gal.

Noodles, Spelt - \$7.50/lb

Noodles, Sprouted Spelt - \$9.50/lb

Oil

Oil, Coconut –\$19.50/qt., \$56.00/gal (raw, cold-pressed,Philippine)

Oil, Fmtd. Coconut - \$16.50/pt., \$29.00/qt.

Oil, Olive "Dancing Goat" - \$22.00/16.9 oz.

Saffron Spice, Dried - \$12.00/.05 gram

Salt, Celtic Sea - coarse\$6.75/lb, fine \$10.25/lb

Salt, Herb - \$4.75/4 oz.

Supertonic, Homemade - \$19.75/4 oz.

Vinegar, Apple Cider - \$7.25/qt.

Vinegar, Best Salad – \$4.50/pt

TREATS

Butters

Almond, Raw -\$14.50/8oz, \$23.50/16oz

Cashew - \$15.00/8oz., \$25.00/pt

Peanut, Homemade - \$7.00/8oz, \$10.50/pt

Chips

Potato, Amos brand –\$6.50/hf lb, \$11.00/lb(Out of Stock)

Potato, non-organic Zerbe – \$5.50/1lb bag

Sweet Potato - \$8.75/ ½ lb

Granola Bars - \$3.00/bar

Granola, Homemade - \$9.50/lb.

Mayonnaise, Homemade – \$4.50/pt

Mushroom, Kombucha - \$5.50/8oz

Mushroom Kit, Jun —\$5.75/8oz.

Mustard, Honey – \$3.50/8oz

Popcorn Kernels, Chemical Free Small - \$6.50/lb

GREEN PASTURES BLUE ICE

Butter Oil (plain) 8oz - \$56.00

Butter Oil Capsules(120 caps) - \$39.90

Ghee, Coconut –\$23.50/27oz, \$56.00/gal

Cod Liver Oil & Butter Oil, Royal Blend Fermented (chocolate, plain, cinnamon)(8oz) - \$43.50

Cod Liver Oil & Butter Oil, Royal Blend Fermented Capsules (120 caps) - \$40.50

Cod Liver Oil, Blue Ice Fermented (cinnamon, orange, mint, plain)(8oz)-\$37.50

Cod Liver Oil Capsules, Blue Ice Fermented (120 caps) – \$27.50

Skate Liver Oil, Fermented (orange)(8oz) - \$36.50

Skate Liver Oil Capsules, Fermented (120 caps) – \$28.50

ROSITA REAL FOODS

Cod Liver Oil, Extra Virgin - \$42.00/5 oz.

Cod Liver Oil Capsules, Extra Virgin - \$39.50/ 90 caps

MILLER'S ORGANIC FARM
(A Private Membership Association)
648 Mill Creek School Rd.
Bird-in-Hand, PA 17505
(717) 556-0672
Product Ingredients

COW DAIRY

Yogurt: Milk, culture
Plain Greek Yogurt: Milk, culture
Maple Greek Yogurt: Milk, maple syrup, culture
Kefir: Fermented milk
Cottage Cheese: Milk, culture
Red Raspberry Smoothie – Greek yogurt, red raspberry juice, maple syrup, coconut oil, vanilla extract, cream
Black Raspberry Smoothie – Greek yogurt, naturally raised black raspberry juice, maple syrup, coconut oil, vanilla extract, cream
Raw Cheese Spread – cream, butter, sour cream, milk, baking soda, celtic sea salt
Eggnog – Milk, cream, eggs, raw honey, nutmeg, cinnamon
Sour Cream – Raw cream with a powdered culture added
Crème Fraiche – Is a European name for sour cream and uses cultured buttermilk
Cream Cheese – Cream, rennet, water
Chocolate Milk – raw milk, cocoa powder, maple syrup
Cinnamon Milk – Raw milk, honey, cinnamon, vanilla extract

COW CHEESES

Mild Cheddar Cheese: Milk, culture, veal rennet, celtic sea salt
Sharp Cheddar Cheese: Milk, culture, veal rennet, celtic sea salt
Swiss Cheese: Milk, culture, veal rennet, culture propionic, celtic sea salt
Monterey Jack Cheese: Milk, culture, veal rennet, celtic sea salt
Herbal Jack Cheese: Milk, culture, veal rennet, Italian seasoning (oregano, marjoram, thyme, rosemary, basil, sage), celtic sea salt
Farmers Cheese: Milk, culture, veal rennet, celtic sea salt
Pepper Jack Cheese: Milk, culture, veal rennet, bell pepper flakes, cayenne pepper flakes, celtic sea salt
Colby Cheese: Milk, culture, veal rennet, celtic sea salt
Colby Dill Cheese: Milk, culture, veal rennet, dill, celtic sea salt
Garlic Cheddar Cheese: Milk, culture, veal rennet, garlic, chives, celtic sea salt
Mushroom Leek Cheese: Milk, vegetable rennet, culture, organic baby bella mushroom, organic leek, celtic sea salt
Mozzarella Cheese: Milk, culture, veal rennet, celtic sea salt
Blue Cheese: Milk, vegetable rennet, culture, celtic sea salt
Smoked Cheddar Cheese: Milk, culture, veal rennet, celtic sea salt
Horseradish Cheese: Milk, veal rennet, horseradish, celtic sea salt
Gouda Cheese: Milk, veal rennet, celtic sea salt
Havarti Cheese: Milk, veal rennet, celtic sea salt

ICE CREAM

Willow Run Dairy Chocolate – Cream, milk, honey, egg yolks, 100% plantation chocolate, celtic sea salt,
Willow Run Dairy Vanilla – Cream, milk, honey, egg yolks, vanilla extract, celtic sea salt
Willow Run Dairy Chocolate Peanut Butter – Cream, milk, honey, egg yolks, cocoa powder, peanut butter, celtic sea salt
Willow Run Dairy Ginger – Cream, milk, honey, egg yolks, fresh ginger root, celtic sea salt, ground ginger
Willow Run Dairy Strawberry – Cream, milk, honey, egg yolks, pureed strawberries, celtic sea salt
Willow Run Dairy Blackberry – Cream, milk, honey, egg yolks, blackberries, celtic sea salt
Willow Run Dairy Butter Pecan – Cream, milk, honey, egg yolks, crispy pecans, butter, celtic sea salt
Willow Run Dairy Mint – Cream, milk, honey, egg yolks, peppermint extract, celtic sea salt
Willow Run Dairy Maple Walnut – Cream, milk, maple syrup, walnuts, egg yolks, celtic sea salt
Narvon Natural Acres Chocolate – Cream, milk, eggs, maple syrup, unsweetened chocolate, real salt
Narvon Natural Acres Vanilla -Cream, milk, eggs, maple syrup, arrowroot powder, vanilla, real salt
Narvon Natural Acres Strawberry – Cream, milk, eggs, maple syrup, real salt, strawberries, organic cane sugar
Narvon Natural Acres Butter Pecan – Cream, milk, eggs, crispy pecans, maple syrup, arrowroot powder, real salt
Narvon Natural Acres Mint - Cream, milk, eggs, maple syrup, real salt, organic peppermint extract, arrowroot powder
Narvon Natural Acres Dandy Blend – Cream, milk, eggs, maple syrup, dandy blend, arrowroot powder, real salt
Narvon Natural Acres Raspberry – Cream, milk, eggs, raspberry juice, maple syrup, arrowroot powder, real salt
Pumpkin Cheesecake – Pumpkin, cinnamon, nutmeg, cream, maple syrup, eggs, celtic sea salt

SHEEP DAIRY

Yogurt: Milk, culture
Kefir: Fermented milk
Feta Cheese: Milk, culture, celtic sea salt
Cottage Cheese: Milk, cream, celtic sea salt, culture
Lucious Lamb Sheep Cheese: Milk, culture, vegetable rennet, celtic sea salt
Ewes Dream Sheep Cheese: Milk, culture, veal rennet, lipse, celtic sea salt
Mild Shepherd's Delight Cheese: Milk, culture, veal rennet, celtic sea salt

GOAT DAIRY

Cottage Cheese: Milk, cream, culture, vegetable rennet
Yogurt: Milk, culture
Kefir: Fermented milk
Feta Cheese: Milk, culture, vegetable rennet, celtic sea salt
Chevre Cheese: Milk, culture, veal rennet
Cheddar Cheese: Milk, vegetable rennet, culture, celtic sea salt
Greek Yogurt: Milk, culture
Chevre Garlic & Chives Cheese: Milk, garlic powder, chives, culture, veal rennet
Goat Milk Soap (unscented): Olive oil, coconut oil, safflower oil, palm oil, beeswax, wheat germ, grape seed, honey, borax, glycerin, grapefruit seed extract
Liquid Goat Soap: Distilled water, goat milk, saponified oils from olive, coconut, castor, palm, safflower, grapeseed, borax, organic sugar, glycerin, honey, essential oils, potassium carbonate

WATER BUFFALO DAIRY

Yogurt: Milk, culture
Egg Custard: Milk, egg yolks, maple syrup, vanilla extract, celtic sea salt
Kefir: Fermented milk
Cottage Cheese: Milk, culture
Ice Cream: Cream, milk, honey, egg yolks, vanilla extract, celtic sea salt, butter

WATER BUFFALO CHEESES

Mozzarella Cheese: Milk, vegetable rennet, culture, Himalayan sea salt
Buffeta: Milk, vegetable rennet, celtic sea salt, culture, lipase
Camem Buff: Milk, rennet, culture, celtic sea salt
Cheddar: Milk, vegetable rennet, celtic sea salt, culture
Deli Delight: Milk, vegetable rennet, celtic sea salt, culture
Hot Jack: Milk, vegetable rennet, culture, cayenne pepper, crushed pepper, celtic sea salt
Cave-Aged: Milk, vegetable rennet, celtic sea salt, culture
Plain Soft Buffalo Cheese: Buffalo milk, culture, rennet, celtic sea salt
Garlic & Chives Soft Buffalo Cheese: Buffalo milk, culture, rennet, celtic sea salt, organic garlic & chives
Chipotle Heat Soft Buffalo Cheese: Buffalo milk, culture, rennet, celtic sea salt, organic chipotle spice
Herbal Bliss Soft Buffalo Cheese: Buffalo milk, culture, rennet, celtic sea salt, garlic, basil, oregano, red pepper flakes, olive oil

WATER BUFFALO MEAT

Buffalo Jerky: Water buffalo, black pepper, celtic sea salt, chili flakes, onion powder
Buffalo Bacon: Water buffalo, celtic sea salt, black pepper, water, apple cider vinegar, baking soda

TURKEY

Turkey Scrapple: Turkey, corn meal, sprouted spelt flour, quick oats, whey, celtic sea salt, black pepper
Turkey Sausage: Turkey sausage, celtic sea salt, black pepper, sage

CHICKEN

Chicken Pie – Soy free Chicken, chicken broth, lard, butter, unbleached unenriched organic wheat flour, potatoes, peas, onions, carrots, celery, celtic sea salt, pepper, celery salt, seasoned salt, MSG free
Chicken Liver Soup – Soy free Chicken broth, soaked brown rice, celery, carrots, soy free chicken, soy free chicken liver, brewers yeast, basil leaves, celtic sea salt

MUTTON & LAMB

Mutton Sausage – Ground mutton, celtic sea salt, black pepper, sage

BEEF

Beef Bologna, sliced: Beef, fermented salsa, sucanat, black pepper, red pepper, dry mustard, onion powder, garlic powder

All Beef Hot Dog: Beef, celtic sea salt, dry mustard, paprika, coriander, black pepper, garlic powder, raw honey, PHR (natural phosphate replacement)

Hot Dog: 75% beef, pork lard, celtic sea salt, dry mustard, paprika, coriander, black pepper, garlic powder, raw honey, PHR (natural phosphate replacement)

Beef Jerky: Beef, black pepper, celtic sea salt, chili flakes, onion powder

PORK

Italian Sausage Links – Pork, celtic sea salt, sucanat, black & red pepper, thyme, sage, summer savory, fennel, garlic

Pork Scrapple – Pork, pork broth, pork organs, sprouted spelt flour, corn meal, rolled oats, whey, lard, celtic sea salt, black pepper

Pork Sausage – Ground pork, celtic sea salt, black pepper, sage

Pork Liverwurst – Pork organs, pork broth, black pepper, celtic sea salt

Liverwurst Sausage: Pork, pork organs, honey, celtic sea salt, onion powder, black pepper, coriander, marjoram, all spice

Brine for cured, salted baon & ham – Real salt, black pepper, water, vinegar, baking soda

Bacon: Pork (cut from the belly), celtic sea salt, black pepper, water, apple cider vinegar, baking soda

Country Bacon: Pork (cut from the shoulder), celtic sea salt, black pepper, water, apple cider vinegar, baking soda

Canadian Bacon: Pork, celtic sea salt, black pepper, water, apple cider vinegar, baking soda

Cured Ham: Pork, celtic sea salt, black pepper, water, apple cider vinegar, baking soda

NUTS

Nut Trail Mix – Crispy almonds, pecans, walnuts, raisins, cashew pieces

Nut Seasoned Mix – Crispy almonds, pecans, walnuts, cashew pieces, organic butter, raw honey, natural seasonings, MSG and soyfree

Sweet & Spicy Nut Mix – Egg whites, sucanat, cinnamon, ginger powder, all spice, celtic sea salt

Honey & Spice Nuts: Butter, honey, cinnamon, all spice, ginger

VEGGIES

Pickled Beets – Red beets, beet juice, vinegar, green stevia, celtic sea salt

Garlic Dill Pickles – Pickles, vinegar, celtic sea salt, green stevia, water, dill, garlic, tumeric

Pickled Okra – Okra, vinegar, celtic sea salt, green stevia, water, dill, garlic, tumeric

Zucchini Relish – Zucchini, onion, green & red peppers, vinegar, honey, celtic sea salt, celery seed, tumeric, black pepper

FERMENTED VEGGIES

Fermented Beets – Red beets, whey, celtic sea salt, beet juice

Fermented Bread & Butter Pickles – Organic cucumbers, organic onions, lemon juice, whey, raw honey, celtic sea salt, celery seeds, tumeric, mustard seeds

Fermented Dill Pickles – Organic cucumbers, dill, onion, celery seed, mustard seed, celtic sea salt, whey

Fermented Pickle Relish – Pickles, celtic sea salt, whey, onions, dill seed

Fermented Daikon Radish – Daikon radish, whey, celtic sea salt

Fmtd. Kimchee – Chinese cabbage, onions, carrots, daikon radish, garlic, ginger, red pepper flakes, celtic sea salt, whey

Fermented Sauerkraut – Cabbage, celtic sea salt

Fermented Vegetable Chow-Chow – Cauliflower, broccoli, carrots, onions, peppers, celtic sea salt, celery seeds, tumeric, whey

Fermented Carrots & Onions – Carrots, onions, celtic sea salt, whey

Fermented Onions – Onions, celtic sea salt, whey

Fermented Veggie Mix – Green tomatoes, onions, bell peppers, hot peppers, whey, water, celtic sea salt

Organic Horseradish – Horseradish roots, apple cider vinegar, celtic sea salt

Fermented Ketchup (Amos Brand) – Tomatoes, apple cider vinegar, maple syrup, whey, cayenne peppers, celtic sea salt, garlic

Fermented Salsa – Tomatoes, peppers, onions, celtic sea salt, whey, garlic

Fermented HOT Salsa – Tomatoes, hot pepper, onions, celtic sea salt, whey, garlic, cayenne pepper

Fermented Garlic: Roasted garlic, celtic sea salt, oregano, whey, water

BAKERY

- Cinnamon Raisin Bread** – Organic fresh ground whole wheat flour, organic unenriched unbleached wheat, raw honey, lard, organic raisins, celtic sea salt, raw apple cider vinegar, yeast, cinnamon
- Zucchini Bread** – Heritage wheat flour, honey, sucanat, olive oil, eggs, water, zucchini, baking soda, baking powder, cinnamon, cloves, celtic sea salt
- Pumpkin Bread**– Heritage wheat flour, raw honey, sucanat, olive oil, eggs, water, pumpkin, baking soda, baking powder, cinnamon, cloves, celtic sea salt
- Spelt Bread**– Organic fresh ground spelt flour, unbleached unenriched organic wheat flour, ground flax seed, raw honey, pure lard, raw Apple cider vinegar, celtic sea salt, yeast, water,
- Sprouted Spelt Bread**– Sprouted grain spelt flour, water, raw honey, olive oil, eggs, celtic sea salt, vinegar, yeast
- 7-Grain Bread**– Rye, hard white wheat, hard red wheat, pearl barley, brown rice, spelt, millet, unbleached unenriched wheat flour, raw honey, celtic sea salt
- Sourdough Heritage Wheat Bread** – Red Fife Heritage wheat flour, olive oil, honey, water, eggs, celtic sea salt
- Sourdough Wheat Bread** – Organic fresh ground wheat flour, unenriched unbleached wheat flour, water, honey, celtic sea salt
- Soaked Wheat Bread** – Ground wheat flour, unenriched wheat flour, water, honey, lard, yeast, celtic sea salt, apple cider vinegar
- Sourdough Rye Bread** – Fresh ground rye flour, unbleached unenriched organic wheat flour, water, honey, celtic sea salt
- Angel Food Cake** – Egg whites, unenriched unbleached white flour, raw honey, cream of tartar, vanilla extract, celtic sea salt
- Shoofly Pie** – **Crust:** Sprouted grain spelt flour, lard, celtic sea salt, water, baking powder
Filling: Baking molasses, rice syrup, sucanat, water, baking soda, eggs, sprouted spelt flour, lard
Crumb Topping: Sprouted spelt flour, butter, baking soda, sucanat
- Apple Pie** – **Crust:** Wheat flour, lard, baking powder, salt, sucanat, water, apple cider vinegar
Filling: Organic apples, water, maple syrup, stevia, tapioca starch, lemon, cinnamon
Crumb Topping: Sprouted spelt flour, butter, baking soda, sucanat
- Rhubarb Crumb Pie** – Rhubarb, sucanat, sprouted spelt flour, organic butter, eggs, vanilla, lard, baking powder, celtic sea salt, water
- Coconut Chocolate Chip Cookies (Gluten-free)** - Butter, eggs, coconut, coconut flour, gluten-free chocolate chips, raw honey, sucanat, vanilla, celtic sea salt
- Almond Butter Chocolate Chip Cookies:** Almond flour, sucanat, almond butter, butter, eggs, chocolate chips, vanilla extract, celtic sea salt, baking soda

MUFFINS—GLUTEN FREE

- Coconut** – Organic grass-fed raw butter, organic eggs, sucanat, celtic sea salt, coconut extract, coconut flour, baking powder, organic coconut
- Lemon-Poppy Seed** – Organic eggs, organic grass-fed raw butter, raw milk, raw honey, coconut flour, lemon extract, organic poppy seeds, baking powder, celtic sea salt
- Vanilla-Pecan** – Organic eggs, organic grass-fed raw butter, raw milk, raw honey, coconut flour, vanilla extract, baking powder, pecans, celtic sea salt
- Blueberry** – Organic eggs, organic grass-fed raw butter, raw milk, raw honey, coconut flour, almond extract, baking powder, sea salt, blueberries
- Rhubarb Crumb** – Almond flour, rhubarb, organic eggs, organic milk, organic butter, sucanat, raw honey, baking powder, baking soda, celtic sea salt, vanilla

STAPLES

- Ghee** - No salt butter from grass-fed cows (no grain)
- Herb Salt** – Celtic sea salt, brewers yeast flakes, celery, basil, parsley leaves, garlic, onion, chives, loveage
- Noodles** – Spelt flour, eggs
- Noodles Soaked** – Sprouted spelt flour, eggs
- Homemade Supertonic** – onions, garlic, horseradish root, ginger, cayenne, ginger root, apple cider vinegar
- Vanilla Extract:** Extract of vanilla beans in alcohol
- Best Salad Vinegar:** Apple cider vinegar, garlic, dill weed, bay leaves

TREATS

- Apple Butter** – Apples, sucanat, maple syrup, cinnamon, nutmeg
- Applesauce** – Apples
- Honey Mustard** – White vinegar, dry mustard, eggs, honey, sucanat
- Mayonnaise** – Water, onion powder, garlic powder, mustard powder, paprika, egg yokes, sesame oil, coconut oil, olive oil, green stevia, Apple cider vinegar, starch, celtic sea salt
- Homemade Granola w/ Raisins** – Oats, sesame seeds, sunflower seeds, coconut butter, butter, raisins, honey, celtic sea salt, cinnamon
- Granola Bars** – Oats, sesame seeds, sunflower seeds, coconut butter, butter, raisins, honey, maple syrup, rice syrup, peanut butter, celtic sea salt, cinnamon

Strawberry Jam: Strawberries, evaporated cane sugar, fruit pectin
Raspberry Jam: Raspberries, evaporated cane sugar, fruit pectin
Blueberry Jam: Blueberries, evaporated cane sugar, fruit pectin
Cashew Butter: Crispy cashews
European Turly Raw Almond Butter: Raw organic European almonds
Potato Chips: Potatoes, lard, coconut oil, celtic sea salt
Sweet Potato Chips: Sweet potatoes, lard, coconut oil, celtic sea salt
Garlic Spread – Chopped garlic scapes, crushed walnuts, mozzarella cheese, olive oil, celtic sea salt
Egg Custard – Soy-free eggs, milk, maple syrup, celtic sea salt, vanilla extract, cinnamon

DRINKS

Kombucha – Water, raw sugar, organic black tea, kombucha mushroom
Beet Kvass – Beets, water, whey, celtic sea salt
Fermented Ginger-ale – Grated ginger, fresh lime juice, sucanat, whey, celtic sea salt, water
Fermented Lemonade – Water, fresh pressed lemon juice, sucanat, whey, nutmeg
Sourdough Kvass: Filtered water, rye bread crumbs, (filtered water, rye flour, whole wheat flour, sourdough, black strap molasses, sugar, salt coriander), barley, malt, sugar

WATER KEFIR

Cranapple Water Kefir: Water, 100% fruit juice, sugar, unsulfured molasses, lemon and lime juice, ginger root
Blueberry Water Kefir: Water, 100% fruit juice, sugar, unsulfured molasses, lemon and lime juice, ginger root
Ginger Water Kefir: Water, sugar, unsulfured molasses, lemon and lime juice, ginger root
Cherry Water Kefir: Water, 100% fruit juice, sugar, unsulfured molasses, lemon and lime juice, ginger root
Plain Water Kefir: Water, sugar, unsulfured molasses, lemon and lime juice
Apple Water Kefir: Water, 100% fruit juice, sugar, unsulfured molasses, lemon and lime juice, ginger root

EXHIBIT 4



[Home \(/\)](#) | [DAIRY & EGGS \(/DAIRY-EGGS_c_59.html\)](#)

DAIRY & EGGS

This dairy is truly unique and healthy since it comes from animals who live their whole lives free to roam on pasture, get plenty of sunlight, and eat a natural diet of grasses and plants as nature intended. The cows are NOT fed any grains like corn or soy.

[Read more](#)



- [CHEESE \(CHEESE_c_22.html\)](#)
- [DAIRY \(A1/A2\) \(DAIRY-A1A2_c_20.html\)](#)
- [DAIRY \(A2/A2\) \(DAIRY-A2A2_c_78.html\)](#)
- [EGGS \(OrganicEggsfromPasture-raisedchickensNOTfedanysoyMiamiFLHealthyFoodClubandMillersOrganicFarm\)](#)

Products [37]

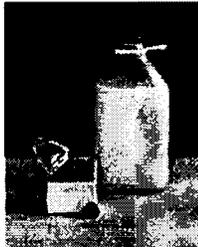
Sort by:

Review Count



[Exit View All \(DAIRY-EGGS_c_59.html?viewall=0\)](#)

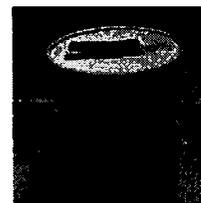
(Cow-Milk_p_108.html)



*COW MILK (COW-MILK_P_108.HTML)

★★★★★ (33)

(Ice-Cream_p_177.html)



*ICE CREAM (ICE-CREAM_P_177.HTML)

★★★★★ (8)

SELECT OPTIONS (ADD_CART.ASP?QUICK=1&ITEM_ID=108)

(Greek-Style-Cow-Yogurt_p_502.html)



*GREEK STYLE COW YOGURT (GREEK-STYLE-COW-YOGURT_P_502.HTML)

★★★★★ (6)

SELECT OPTIONS (ADD_CART.ASP?QUICK=1&ITEM_ID=177)

(Cow-Cream-Heavy_p_109.html)



*COW CREAM HEAVY (COW-CREAM-HEAVY_P_109.HTML)

★★★★★ (6)

SELECT OPTIONS (ADD_CART.ASP?QUICK=1&ITEM_ID=502)

(Cow-Kefir_p_115.html)



*COW KEFIR (COW-KEFIR_P_115.HTML)

★★★★★ (6)

SELECT OPTIONS (ADD_CART.ASP?QUICK=1&ITEM_ID=109)

(Cow-Yogurt_p_116.html)



*COW YOGURT (COW-YOGURT_P_116.HTML)

★★★★★ (6)

SELECT OPTIONS (ADD_CART.ASP?QUICK=1&ITEM_ID=115)

(Cow-Kefir-STRONG_p_297.html)



*COW KEFIR STRONG (COW-KEFIR-STRONG_P_297.HTML)

★★★★★ (6)

SELECT OPTIONS (ADD_CART.ASP?QUICK=1&ITEM_ID=116)

(Cow-Butter-Cultured_p_120.html)



*COW BUTTER CULTURED (COW-BUTTER-CULTURED_P_120.HTML)

★★★★★ (4)



SELECT OPTIONS (ADD_CART.ASP?QUICK=1&ITEM_ID=297)

(Cow-Sour-Cream_p_110.html)



*COW SOUR CREAM (COW-SOUR-CREAM_P_110.HTML)

★★★★★ (4)

SELECT OPTIONS (ADD_CART.ASP?QUICK=1&ITEM_ID=110)

SELECT OPTIONS (ADD_CART.ASP?QUICK=1&ITEM_ID=120)

(Cow-Crème-Fraiche_p_111.html)



*COW CRÈME FRAICHE (COW-CRÈME-FRAICHE_P_111.HTML)

★★★★★ (4)

SELECT OPTIONS (ADD_CART.ASP?QUICK=1&ITEM_ID=111)

Give us Your Feedback

(Chocolate-Milk_p_567.html)

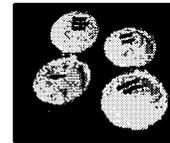


*CHOCOLATE MILK (CHOCOLATE-MILK_P_567.HTML)

★★★★★ (4)

SELECT OPTIONS (ADD_CART.ASP?QUICK=1&ITEM_ID=567)

(Cow-Butter_p_258.html)

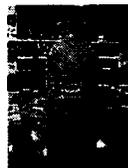


*COW BUTTER (COW-BUTTER_P_258.HTML)

★★★★★ (3)

SELECT OPTIONS (ADD_CART.ASP?QUICK=1&ITEM_ID=258)

(Cow-ButtermilkbrPer-qt_p_112.html)



*COW BUTTERMILK PER QT (COW-BUTTERMILKBRPER-QT_P_112.HTML)

(Cow-Colostrum-First_p_247.html)



*COW COLOSTRUM, FIRST (COW-COLOSTRUM-FIRST_P_247.HTML)

★★★★★ (2)

SELECT OPTIONS (ADD_CART.ASP?QUICK=1&ITEM_ID=112)

(Goat-11-Strain-Probiotic-Drink-per-pint_p_545.html)



*GOAT 11 STRAIN PROBIOTIC DRINK PER PINT (GOAT-11-STRAIN-PROBIOTIC-DRINK-PER-PINT_P_545.HTML)

★★★★★ (2)

BUY (ADD_CART.ASP?QUICK=1&ITEM_ID=545)

(Greek-Style-Goat-Yogurt-Plain_p_713.html)



GREEK STYLE GOAT YOGURT, PLAIN (GREEK-STYLE-GOAT-YOGURT-PLAIN_P_713.HTML)

★★★★★ (1)

SELECT OPTIONS (ADD_CART.ASP?QUICK=1&ITEM_ID=713)

(Cow-Eggnog-Quart_p_119.html)



★★★★★ (2)

SELECT OPTIONS (ADD_CART.ASP?QUICK=1&ITEM_ID=247)

(Cinnamon-Milk_p_606.html)



CINNAMON MILK (CINNAMON-MILK_P_606.HTML)

★★★★★ (2)

SELECT OPTIONS (ADD_CART.ASP?QUICK=1&ITEM_ID=606)

(Liquid-Whey_p_114.html)



*LIQUID WHEY (LIQUID-WHEY_P_114.HTML)

★★★★★ (1)

SELECT OPTIONS (ADD_CART.ASP?QUICK=1&ITEM_ID=114)

(Cow-Cream-Light_p_271.html)

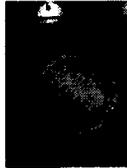


*COW EGGNOG QUART (COW-EGGNOG-
QUART_P_119.HTML)

★★★★★ (1)

BUY (ADD_CART.ASP?QUICK=1&ITEM_ID=119)

(Cow-Butter-Salted-1-lb-FROZEN-_p_292.html)

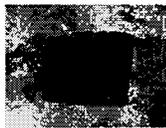


*COW BUTTER SALTED 1 LB FROZEN (COW-BUTTER-
SALTED-1-LB-FROZEN-_P_292.HTML)

★★★★★ (0)

BUY (ADD_CART.ASP?QUICK=1&ITEM_ID=292)

(Buffalo-Cave-Aged-Cheese_p_329.html)



BUFFALO CAVE AGED CHEESE (BUFFALO-CAVE-AGED-
CHEESE_P_329.HTML)

★★★★★ (0)

SELECT OPTIONS (ADD_CART.ASP?QUICK=1&ITEM_ID=329)

(Cow-Butter-UN-salted-1-lb-FROZEN-IN-SPRING_p_496.html)

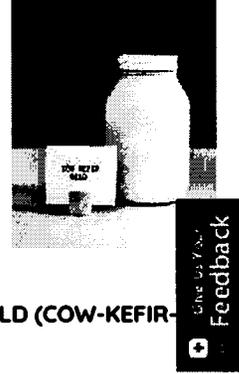


*COW CREAM LIGHT (COW-CREAM-LIGHT_P_271.HTML)

★★★★★ (1)

SELECT OPTIONS (ADD_CART.ASP?QUICK=1&ITEM_ID=271)

(Cow-Kefir-MILD_p_296.html)



*COW KEFIR MILD (COW-KEFIR-_P_296.HTML)

★★★★★ (0)

SELECT OPTIONS (ADD_CART.ASP?QUICK=1&ITEM_ID=296)

(Frozen-Cow-Colostrum-Regular_p_365.html)



*FROZEN COW COLOSTRUM REGULAR (FROZEN-COW-
COLOSTRUM-REGULAR_P_365.HTML)

★★★★★ (0)

SELECT OPTIONS (ADD_CART.ASP?QUICK=1&ITEM_ID=365)

(Cow-Colostrum-Regular_p_113.html)



*COW BUTTER UN-SALTED 1 LB FROZEN IN SPRING (COW-BUTTER-UN-SALTED-1-LB-FROZEN-IN-

★★★★★ (0)

BUY (ADD_CART.ASP?QUICK=1&ITEM_ID=496)

(Lucious-Lamb-Sheep-Cheesebr½-lb_p_735.html)



LUCIOUS LAMB SHEEP CHEESE
½ LB (LUCIOUS-LAMB-SHEEP-CHEESEBR½-LB_P_735.HTML)

Not for Sale

★★★★★ (0)

(Ice-Cream-A2A2_p_830.html)



*ICE CREAM A2/A2 (ICE-CREAM-A2A2_P_830.HTML)

★★★★★ (0)

SELECT OPTIONS (ADD_CART.ASP?QUICK=1&ITEM_ID=830)

(Water-Bufferalobrice-Cream_p_645.html)

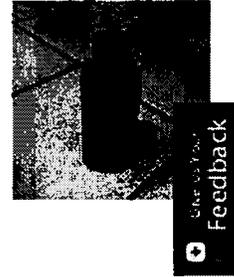


*COW COLOSTRUM, REGULAR (COW-COLOSTRUM-REGULAR_P_113.HTML)

★★★★★ (0)

SELECT OPTIONS (ADD_CART.ASP?QUICK=1&ITEM_ID=113)

(Cow-Yogurt-Smoothie-1-Pint_p_789.html)



COW YOGURT SMOOTHIE, 1 PINT (COW-YOGURT-SMOOTHIE-1-PINT_P_789.HTML)

★★★★★ (0)

SELECT OPTIONS (ADD_CART.ASP?QUICK=1&ITEM_ID=789)

(Goat-Ice-Cream_p_832.html)



GOAT ICE CREAM (GOAT-ICE-CREAM_P_832.HTML)

★★★★★ (0)

SELECT OPTIONS (ADD_CART.ASP?QUICK=1&ITEM_ID=832)

(Sheep-Tallow_p_553.html)





**WATER BUFFALO
ICE CREAM (WATER-BUFFALOBRI-CEAM_P_645.HTML)**

★★★★★ (0)

SELECT OPTIONS (ADD_CART.ASP?QUICK=1&ITEM_ID=645)



****SHEEP TALLOW (SHEEP-TALLOW_P_553.HTML)**

★★★★★ (0)

SELECT OPTIONS (ADD_CART.ASP?QUICK=1&ITEM_ID=553)

(Sheep-Cottage-Cheese-Pint_p_563.html)

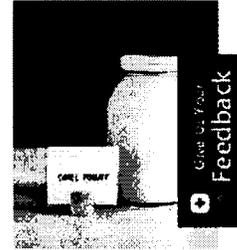


***SHEEP COTTAGE CHEESE PINT (SHEEP-COTTAGE-CHEESE-
PINT_P_563.HTML)**

★★★★★ (0)

BUY (ADD_CART.ASP?QUICK=1&ITEM_ID=563)

(Camel-Yogurt-per-pint_p_507.html)



**CAMEL YOGURT PER PINT (CAMEL-YOGURT-PER-
PINT_P_507.HTML)**

★★★★★ (0)

BUY (ADD_CART.ASP?QUICK=1&ITEM_ID=507)

(Camel-Kefir-per-pint_p_508.html)



**CAMEL KEFIR PER PINT (CAMEL-KEFIR-PER-
PINT_P_508.HTML)**

★★★★★ (0)

BUY (ADD_CART.ASP?QUICK=1&ITEM_ID=508)

(Fresh-Sheep-Creambr8-oz_p_531.html)



***FRESH SHEEP CREAM
8 OZ. (FRESH-SHEEP-CREAMBR8-OZ_P_531.HTML)**

★★★★★ (0)

BUY (ADD_CART.ASP?QUICK=1&ITEM_ID=531)

(Sheep-Butter-8oz_p_533.html)





*SHEEP BUTTER, 8OZ (SHEEP-BUTTER-8OZ_P_533.HTML)

★★★★★ (0)

SELECT OPTIONS (ADD_CART.ASP?QUICK=1&ITEM_ID=533)

Exit View All (DAIRY-EGGS_c_59.html?viewall=0)



Miller's Organic Farm - Amish Farm Foods Delivered to Your Table

PRICE LIST & NEWSLETTER

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Last

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([http://www.facebook.com/pages/Millers-](http://www.facebook.com/pages/Millers-Organic-Farm/)

[http://www.youtube.com/watch?](http://www.youtube.com/watch?v=976113724M4)

[Farm/976113724M4](http://www.instagram.com/millersorganic/) [instagram.com/millersorganic/](http://www.instagram.com/millersorganic/) [facebook.com/millersorganic/](http://www.facebook.com/millersorganic/)

Pages



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EXHIBIT 5



Listeria (Listeriosis)

Multistate Outbreak of Listeriosis Linked to Raw Milk Produced by Miller's Organic Farm in Pennsylvania (Final Update)

Posted December 14, 2016 12:45 PM ET

This investigation is over. This outbreak is a reminder that people should drink and eat only pasteurized dairy products, including milk, soft cheese, ice cream, and yogurt. This recommendation is especially important for people at higher risk for foodborne illness: children younger than 5, pregnant women, adults 65 and older, and people with weakened immune systems.

Highlights

- This investigation is over. This outbreak is a reminder that people should drink and eat only pasteurized dairy products, including milk, soft cheese, ice cream, and yogurt. Pasteurization is the process of heating milk to a high enough temperature for a long enough time to kill dangerous bacteria.
 - This is especially important for people at higher risk for foodborne illness: children younger than 5, pregnant women, adults 65 and older, and people with weakened immune systems.
- Raw milk is milk from cows or other animals that has not been pasteurized to kill harmful bacteria. This raw, unpasteurized milk can carry dangerous bacteria such as *Listeria*, *Salmonella*, *Escherichia coli*, and *Campylobacter*, which are responsible for causing numerous foodborne illnesses and outbreaks.
- Raw milk produced by Miller's Organic Farm in Bird-In-Hand, Pennsylvania, was the likely source of this outbreak.
 - Two people infected with the outbreak strain of *Listeria* were reported from California (1) and Florida (1). Both illnesses occurred in 2014.
 - Both people were hospitalized, and the ill person in Florida died as a result of listeriosis.
- Although the two illnesses occurred in 2014, the source of these illnesses wasn't known until January 29, 2016, when the U.S. Food and Drug Administration informed CDC that whole genome sequencing of *Listeria* bacteria from raw chocolate milk produced by Miller's Organic Farm showed that it was closely related genetically to *Listeria* bacteria from the two ill people described above.

December 14, 2016

Outbreak Summary

No additional people infected with the outbreak strain of *Listeria* bacteria were reported since the initial announcement on March 17, 2016, and as a result CDC is closing this investigation.

Two people from California and Florida got sick from *Listeria* infection in 2014. Both of them were hospitalized and the person from Florida died of listeriosis. The likely source of their illnesses was identified in late January 2016 when the U.S. Food and Drug Administration informed CDC that whole genome sequencing of *Listeria* bacteria from a sample of raw chocolate milk produced by Miller's Organic Farm was closely related genetically to *Listeria* bacteria from the two ill people.

CDC recommends that people drink and eat only pasteurized dairy products, including milk, soft cheese, ice cream, and yogurt. Pasteurization is the process of heating milk to a high enough temperature for a long enough time to kill dangerous bacteria. This recommendation is especially important for people at higher risk for foodborne illness: children

younger than 5, pregnant women, adults 65 and older, and people with weakened immune systems. More information about raw milk is available on the CDC Food Safety and Raw Milk website.

Previous Updates

March 17, 2016

Initial Announcement

CDC and several states are investigating an outbreak of *Listeria monocytogenes* infections (listeriosis). *Listeria* can cause a serious, life-threatening illness.

Public health investigators are using the PulseNet system to identify illnesses that may be part of this outbreak. PulseNet, coordinated by CDC, is the national subtyping network of public health and food regulatory agency laboratories. PulseNet performs DNA fingerprinting on *Listeria* bacteria isolated from ill people by using techniques called pulsed-field gel electrophoresis (PFGE) and whole genome sequencing (WGS). CDC PulseNet manages a national database of these DNA fingerprints to identify possible outbreaks.

Investigation of the Outbreak

Collaborative investigative efforts of state, local, and federal public health and regulatory officials indicate that raw milk produced by Miller's Organic Farm in Bird-In-Hand, Pennsylvania is the likely source of this outbreak. Raw milk is milk from cows or other animals that has not been pasteurized to kill harmful bacteria. This raw, unpasteurized milk can carry dangerous bacteria such as *Listeria*, *Salmonella*, *E. coli*, and *Campylobacter*, which are responsible for causing numerous foodborne illnesses and outbreaks.

In November 2015, samples of raw chocolate milk were collected from a raw milk conference held in Anaheim, California. The raw chocolate milk was produced by Miller's Organic Farm. The U.S. Food and Drug Administration (FDA) isolated *Listeria* from the raw chocolate milk and conducted WGS testing on the isolate to get more genetic information about the bacteria. On January 29, 2016, FDA informed CDC that WGS determined that the *Listeria* bacteria from the raw chocolate milk was closely related genetically to *Listeria* bacteria from two people in two states who got sick in 2014, one from California and one from Florida.

The age of ill people from California and Florida ranged from 73 to 81 years. Both ill people were hospitalized, and the ill person from Florida died as a result of listeriosis.

Once the two illnesses were identified in late January, public health officials worked over several weeks to interview them or their family members about the foods they may have eaten and other exposures in the month before their illness started. Interviews were conducted with the ill person from California and family members for both ill people. It was reported that both ill people drank raw milk before they got sick. The family of the deceased person in Florida reported purchasing raw milk from Miller's Organic Farm.

Raw milk and raw dairy products can pose severe health risks, including death, especially for people at higher risk for foodborne illness, including children younger than 5, pregnant women, adults 65 and older, and people with weakened immune systems. We recommend that people drink and eat only pasteurized dairy products. Learn more about the dangers of drinking raw milk at the CDC Food Safety and Raw Milk website.

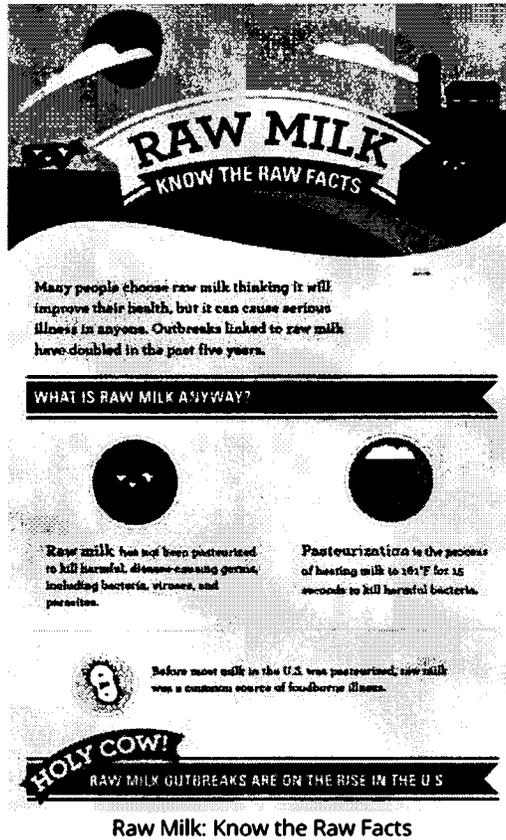
Because *Listeria* was recently found in raw milk produced by Miller's Organic Farm, we are concerned that contaminated raw milk and other raw dairy products from this company could still be on the market and make people sick.

This investigation is ongoing. CDC and state and local public health partners are continuing laboratory surveillance through PulseNet to identify additional ill people and to interview them. Updates will be provided when more information is available.

At a Glance:

- Case Count: 2

- States: 2
- Deaths: 1
- Hospitalizations: 2
- Recall: No



RAW MILK
KNOW THE RAW FACTS

Many people choose raw milk thinking it will improve their health, but it can cause serious illness in anyone. Outbreaks linked to raw milk have doubled in the past five years.

WHAT IS RAW MILK ANYWAY?



Raw milk has not been pasteurized to kill harmful, disease-causing germs, including bacteria, viruses, and parasites.



Pasteurization is the process of heating milk to 161°F for 15 seconds to kill harmful bacteria.

 Before most milk in the U.S. was pasteurized, raw milk was a common source of foodborne illness.

HOLY COW!
RAW MILK OUTBREAKS ARE ON THE RISE IN THE U.S.

Raw Milk: Know the Raw Facts

[CLICK TO VIEW CASE COUNT MAPS.](#)



More Information:

- [Advice to Consumers](#)
- [Signs & Symptoms](#)
- [Key Resources](#)

EXHIBIT 6



pennsylvania
DEPARTMENT OF AGRICULTURE

BUREAU OF FOOD SAFETY & LABORATORY SERVICES

2301 North Cameron Street
Harrisburg, PA 17111

April 11, 2016

Amos B. Miller
Rebecca R. Miller
d/b/a Miller's Organic Farm
648 Millcreek School Road
Bird-in-Hand PA 17505

RE: Food Establishment

Dear Mr. and Mrs. Miller:

On March 22, 2016, employees of the Pennsylvania Department of Agriculture, Bureau of Food Safety, visited your property at 648 Millcreek School Road, Bird-in-Hand, PA, to inspect facilities at this location devoted to the storage, handling, and other on-site activities related to the distribution of food products as advertised on the website www.millersorganicfarm.com. Mr. Amos Miller refused access to the Department's employees to perform such an inspection.

I write to you today to explain further the legal obligations and ramifications of the failure to permit inspection in the hope you will cooperate upon our next visit in the interest of protecting public health.

Based upon the contents of the website at www.millersorganicfarm.com, including a document identified as a "Prices List," and the observations of our employees while on site during the March 22, 2016 visit, a "Food Establishment" is being operated on your premises at 648 Millcreek School Road, Bird-in-Hand, PA. A copy of the "Prices List" document can be found at www.myhealthyfoodclub.com/assets/images/Docs/farm-food-price-list and is included as an attachment here.

The Food Safety Act was enacted by the Pennsylvania General Assembly in 2010. It became effective on January 24, 2011. A copy is enclosed.

Under Pennsylvania law, a food establishment is defined as follows:

A room, building or place or portion thereof or vehicle maintained, used or operated for the purpose of commercially storing, packaging, making, cooking, mixing, processing, bottling, baking, canning, freezing, packing or otherwise preparing, transporting or handling food. The term excludes retail food facilities, retail food establishments, public eating and drinking places and those portions of establishments operating exclusively under milk or milk products permits.



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BUREAU OF FOOD SAFETY & LABORATORY SERVICES

The Food Safety Act states that the following, among other acts, are prohibited by law:

3 Pa.C.S.A. § 5723. Prohibited acts.
The following acts are prohibited:

* * *

(5) Refusal to permit during normal business hours entry to, inspection of or taking of a sample or access to or copying of any record at a food establishment as authorized under section 5732(a)(2) and (3) (relating to inspection, sampling and analysis).

The authority to conduct the inspection and sampling, as noted above, is contained in a separate section of the law designated as Section 5732. That section states:

3 Pa.C.S.A. § 5732. Inspection, sampling and analysis.

(a) Inspection.--For purposes of enforcement of this subchapter, the secretary is authorized, upon presenting appropriate credentials to the owner, operator or agent in charge:

(1) To enter at reasonable times any factory, warehouse or food establishment in which food is or was manufactured, processed, packed or held for introduction into commerce or to enter any vehicle used to transport or hold the food in commerce.

(2) To inspect at reasonable times, within reasonable limits and in a reasonable manner the factory, warehouse, food establishment or vehicle and all pertinent materials, containers and labeling and to obtain samples necessary to administer this subchapter.

(3) To have access to and to copy all records of carriers showing the movement in commerce of any food or the holding thereof during or after the movement, and the quantity, shipper and consignee thereof, if the secretary has probable cause to believe that the movement or holding of food is in violation of this subchapter or department regulations.

* * *

(c) Collection of samples.--During an inspection of a factory or other food establishment where food is manufactured, processed, packed, stored or offered for sale, the secretary may obtain a sample of any food for such analysis as is necessary to determine compliance with this subchapter.

The legal ramifications and penalties under the law for failing to permit inspection are as follows:

3 Pa.C.S.A. § 5725. Penalties.

(a) Criminal penalties.--A person who violates any provision of this subchapter or any rule, regulation, standard or order made under this subchapter commits a summary offense for the first or second offense. A person who violates this subchapter or any rule, regulation, standard or order made under this subchapter commits a misdemeanor of the third degree if the violation is a third or subsequent offense and if the violation occurs within two years of the date of the last previous offense.

(b) Civil penalties.--In addition to proceeding under any other remedy available at law



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or in equity for a violation of this subchapter, or a rule or regulation adopted or any order issued under this subchapter, the secretary may assess a civil penalty not to exceed \$10,000 upon an individual or business for each offense. No civil penalty shall be assessed unless the person charged has been given notice and opportunity for a hearing in accordance with law. In determining the amount of the penalty, the secretary shall consider the gravity of the violation. Whenever the secretary finds a violation which did not cause harm to human health, the secretary may issue a warning in lieu of assessing a penalty. In case of inability to collect the civil penalty or failure of any person to pay all or any portion of the penalty as the secretary may determine, the secretary may refer the matter to the Attorney General, who shall recover the amount by action in the appropriate court.

§ 5724. Temporary or permanent injunctions.

In addition to any other remedies provided in this subchapter, the secretary may apply to the Commonwealth Court or to any other court having jurisdiction for a temporary or permanent injunction restraining a person from violating this subchapter or any regulation adopted under this subchapter.

We also wish to address certain products advertised for distribution on the "Prices List" of the food establishment being operated on your property at 648 Millcreek School Road, Bird-in-Hand, PA.

The "Prices List" contains a listing for thirty (30) products available under the heading "Raw Cow's Milk and Dairy."

With regard to unpasteurized fluid milk, hereinafter referred to as "raw milk," distributed by the food establishment operated at 648 Millcreek School Road, Bird-in-Hand, PA, the Milk Sanitation Law enacted by the Pennsylvania General Assembly in 1935 requires that it be from a source holding a proper permit issued by the Department of Agriculture. A copy of the Milk Sanitation Law and the regulations in place that outline the legal requirements for permits for Raw Milk for Human Consumption are enclosed.

The Milk Sanitation Law states:

31 P.S. § 646. Permit; application; reimbursement of inspection expenses; reciprocal agreements

Except as hereinafter provided, no person shall sell milk, milk products or manufactured dairy products within this Commonwealth without first having obtained a permit from the "secretary," nor otherwise than in accordance with the requirements of this act. Each person desiring a permit to sell milk, milk products or manufactured dairy products shall annually make an application therefor on a form to be secured from the "secretary."

Such application shall set forth--

- (a) The name and address of the applicant.
- (b) The designations of the milk or milk products to be offered for sale.
- (c) The name of the municipality or municipalities in which the applicant desires to sell milk or milk products.
- (d) An accurate record of each milk plant owned or operated by the applicant for a permit.



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(e) Such other information as may be required by the "secretary."

Permits shall be issued only to persons, whose entire milk supply, the farms, where it is produced and the milk plants in which the milk or milk products is handled, have been approved by the secretary, and in any case in which, in his discretion, he shall deem such action necessary for approval, inspected by the secretary. Every permit shall expire annually.

This section shall not apply to a person selling or delivering milk directly from a dairy farm to a milk plant.

Unless the "secretary" shall require a permit, this section shall not apply to a person selling milk or milk products from a store, when such milk or milk products are purchased from a person already in lawful possession of a permit to sell milk or milk products.

This section shall not apply to hotels, restaurants, soda fountains, boarding houses, or other places where milk or milk products is served, when such milk or milk products is to be consumed on the premises thereof, and is purchased from one already in lawful possession of a permit to sell milk or milk products.

The "secretary" may, in his discretion, exempt a person selling milk from not more than one cow from such requirements of this act, as he may deem in each instance to be unnecessary for the protection of the public health.

When the Secretary of Agriculture inspects a plant beyond the boundary of the Commonwealth, the secretary may require such plant to reimburse the department for all necessary and reasonable expenses incurred in making the inspection, which shall be retained by the department for its use in making such inspections.

The secretary is authorized to effectuate and enter into reciprocal agreements with other states, commonwealths or jurisdictions as will insure inhabitants of this Commonwealth milk and milk products complying with the requirements herein enacted or promulgated in rules and regulations hereunder through reciprocal inspection and labeling agreements and in aid of such agreements may approve or accept inspection and labeling requirement of other commonwealths, states and jurisdictions with respect to milk and milk products.

"Sell" is defined under Pennsylvania's Milk Sanitation Law at 31 P.S. § 645 as follows:

"To sell," "for sale" or "sold" and similar terms means the selling, exchanging, delivering, or having in possession, care, control, or custody with intent to sell, exchange, or deliver, or to offer or to expose for sale.

The website www.millersorganicfarm.com states that the food establishment operated on your property has in its possession, care, control and custody raw milk with the intent to deliver. The Department employees who visited your property on March 22, 2016, witnessed these products on site.

There is no record that you or any entity located at 648 Millcreek School Road, Bird-in-Hand, PA, possesses such a permit. Without an inspection to determine the source of the raw milk distributed on your "Prices List," there is no evidence in the Department's possession that the legally required permit is held. This is a summary



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criminal offense under Pennsylvania law according to the Milk Sanitation Law at 31 P.S. § 660d.

Lastly, there are numerous other products on the "Prices List" that cannot be determined to be capable of being legally distributed in Pennsylvania without the inspection required by the Food Safety Act.

The Pennsylvania Department of Agriculture is proud of all dairy farmers in the Commonwealth and recognizes the opportunity available to respond to public demand for high-quality raw milk, however the Department is obligated to verify compliance with Pennsylvania law.

I hope this letter clarifies your obligations, as well as the possible legal ramifications of noncompliance. As mentioned earlier, we hope we can expect your full cooperation upon our return to your property for inspection.

Sincerely,

A handwritten signature in black ink that reads "Judy Martin".

Judy Martin | Assistant Bureau Director
Pennsylvania Department of Agriculture | Bureau Food Safety and Laboratory
Services
2301 North Cameron Street | Harrisburg PA 17110
Phone: 717.787.4315 | Fax: 717.787.1873
email: judmartin@pa.gov

EXHIBIT 7

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA,	:	
	:	CIVIL ACTION
Plaintiff,	:	
	:	NO. 19-cv-1435
v.	:	
	:	
MILLER’S ORGANIC FARM and	:	
AMOS MILLER,	:	
	:	
Defendants.	:	

ORDER

WHEREAS, on June 9, 2021, the Court, on plaintiff United States of America’s motion, ordered defendants Amos Miller and Miller’s Organic Farm (“Miller’s”) to show cause why they should not be held in contempt of the Court’s November 19, 2019 Injunction Order (“Injunction Order,” ECF No. 44) and April 16, 2020 Consent Decree (“Consent Decree,” ECF No. 67) in this action;

WHEREAS, on June 16, 2021, the Court found defendants in contempt of the Injunction Order and Consent Decree following an in-person show cause hearing at which defendants stipulated that the United States had carried its burden of establishing by clear and convincing evidence that the Injunction Order and Consent Decree are valid Court orders, that Amos Miller had knowledge of those orders and their contents, and that he disobeyed the orders (Transcript of June 16, 2021 hearing, at 177:3-9, 178:2-3);

WHEREAS, at the June 16, 2021 hearing, defendants presented three witnesses in an effort to carry their burden of showing that they were unable to comply or had substantially complied with the Injunction Order and Consent Decree, and in response the United States presented the testimony of Food Safety and Inspection Service Compliance Investigator Paul

Flanagan, whose supporting declaration (“First Flanagan Declaration”) and three attached notices of warning the Court admitted into evidence (Transcript of June 16, 2021 hearing, at 175:6-10);

WHEREAS, on June 23, 2021, the Court held a further hearing at which the United States and defendants presented testimony in support of their positions regarding an appropriate sanction for defendants’ civil contempt of the Court’s orders;

WHEREAS, on June 29, 2021, at ECF 65, the Court granted the United States’ motion to supplement the record with: (1) a second declaration of Investigator Flanagan (“Second Flanagan Declaration”) stating his findings following a June 22, 2021 site visit to Miller’s Organic Farm (ECF No. 94-1); and (2) a declaration from Scott Safian, who is an FSIS Director of Enforcement Operations, regarding FSIS’s recent enforcement costs for this matter (ECF No. 94-2);

WHEREAS, on June 28, 2021, the United States filed proposed findings of fact and conclusions of law in support of civil contempt sanctions (ECF No. 95), which the United States later revised following the filing of transcripts from the June 16 and 23, 2021 hearings (ECF Nos. 97, 98, 101, 102);

WHEREAS, on July 2, 2021, defendants filed their objections to the United States’ proposed findings and conclusions (ECF No. 99); and

WHEREAS, on July 19, 2021, the Court heard oral argument and limited further testimony on the parties’ positions on civil contempt sanctions;

NOW, THEREFORE, on this 21st day of July, 2021, under Federal Rule of Civil Procedure 52(a), the Court makes the following FINDINGS OF FACT, states the following CONCLUSIONS OF LAW, and ORDERS CONTEMPT SANCTIONS as follows:¹

FINDINGS OF FACT

Facts Established before the June 2021 Hearings

1. Five years ago, in EDPA Civil Action No. 16-cv-2732 (“the subpoena enforcement action”), this Court enforced a subpoena of the U.S. Department of Agriculture’s Food Safety and Inspection Service (“FSIS” or “USDA FSIS”) and ordered Amos Miller and Miller’s Organic Farm to cease denying FSIS inspection access to Miller’s meat-and-poultry-related facilities and records.
2. Later, in two 2017 letters, FSIS warned these defendants that they were still violating federal inspection, labeling, and FSIS right-of-access requirements in the Federal Meat Inspection Act, 21 U.S.C. § 601, et seq. (“FMIA” or “the Meat Act”), and the Poultry Products Inspection Act, 21 U.S.C. § 451, et seq. (“PPIA” or “the Poultry Act”) (collectively, “the Acts”).
3. Because defendants failed to cease those continuing violations, the United States, on behalf of FSIS, commenced this action (EDPA No. 19-cv-1435, or “the permanent injunction action”) against Amos Miller and Miller’s by filing an April 2019 Complaint seeking permanent injunctive relief against them under the Acts (ECF No. 1).
4. On November 19, 2019, in the Injunction Order, the Court granted summary judgment in favor of the United States and entered the requested permanent injunctive relief, enjoining defendants from committing continuing violations of the Acts.

¹ See, e.g., *ABI Jaoudi and Azar Trading Corp. v. Cigna Worldwide INS. Co.*, No. 91-cv-6785, 2016 WL 3959078, at *1 (E.D. Pa. July 22, 2016) (findings of fact and conclusions of law in connection with civil contempt are made under Rule 52).

5. In the Injunction Order, and at summary judgment, Mr. Miller and his farm conceded facts that are now established in this action, and the Court made several findings, all of which continue to bind the parties.

6. In the Injunction Order, for example, the Court found that, at least as of November 19, 2019: (a) Amos Miller and his wife owned and operated Miller's, an unincorporated business located at 648 Mill Creek School Road, Bird-in-Hand, Pennsylvania; (b) at its farm site, Miller's had been slaughtering livestock or poultry, and then preparing, processing, storing, and/or distributing meat, meat food products, and poultry products; (c) Miller's sold its meat, meat food products, and poultry products that are subject to the Acts (known as "amenable products") for commercial purposes and for human consumption to consumers in Pennsylvania and throughout the United States; (d) federal inspection is required at such an establishment that slaughters livestock or poultry, and then prepares or processes amenable meat, meat food products, or poultry products that are capable of use as human food for interstate or foreign commerce, unless the establishment qualifies for an exemption from federal inspection; (e) Miller's had been operating its meat and poultry business without a USDA-FSIS Federal Grant of Inspection and (with rare exception) without taking its livestock and poultry for slaughter and processing to any federally inspected facility; and (f) defendants had not yet changed Miller's business model to attempt to qualify for an exemption from federal inspection under the Acts for any part of their operations. (Injunction Order, at pp. 1-2 ¶¶ 3-9).

7. The following facts were also established, largely through defendants' concessions at summary judgment:

a. Miller's Organic Farm is Mr. Miller's alter ego and files its tax returns under Mr. Miller's name. (*Compare* USA's Statement of Undisputed Material Facts in Support

of Summary Judgment [SUMF], ECF No. 35-1, at ¶¶ 3 and 4, *with* Defendants['] Response to [SUMF], ECF No. 36-1, at ¶¶ 3 and 4 [conceding these facts]. *See also* Injunction Order at p. 1 ¶ 3.)

b. Miller's "private membership association" is a buyer's club whose members do not share in the farm's profits or have voting rights in decisions about the farm's business and that: (a) has a decision-making "board" comprising only Mr. Miller and his wife; (b) conditions membership solely on an individual's signing a membership contract and paying a small one-time fee; and (c) does not screen members based on their views or beliefs. (*Compare* SUMF ¶ 5 *with* Defendants' Response to SUMF, at ¶ 5.)

c. At least until the Injunction Order, Miller's sold its meat and poultry products only to Miller's private membership association members, including to food Co-operatives that participated or were otherwise members in Miller's private membership association. Miller's fulfilled telephone, email, fax, and internet orders by itself transporting—or by arranging delivery services to transport—purchased products. (*Compare* SUMF ¶ 13 *with* Defendants' Response to SUMF, at ¶ 13.)

8. In the Injunction Order, the Court ruled that, by conducting their meat and poultry business without federal inspection, and by refusing to provide FSIS's authorized representatives with necessary access to Miller's meat-and-poultry-related facilities, inventory, and records, defendants had been violating the Acts': (a) federal inspection requirements; (b) prohibitions against offering for sale, selling, and distributing non-federally-inspected and misbranded meat, meat food products, and poultry products; and (c) access and inspection provisions. (Injunction Order, at p. 3 ¶ 4).

9. The Court stressed that: (a) “The United States’ and the public’s interests in food safety (as expressed in congressional findings and the Acts)” would be “irreparably injured absent permanent injunctive relief, and the defendants’ interests do not countervail those interests”; and (b) there was “a cognizable danger that, based on [Amos Miller’s and Miller’s Organic Farm’s] past and continuing conduct, they will, unless restrained by order of this court, continue to violate the Acts.” (Injunction Order, at p. 4 ¶¶ 5, 6 [interpolation added].)

10. In granting permanent injunctive relief against defendants Miller’s and Amos Miller on November 19, 2019, the Court ordered, in part, that:

- Defendants “**are permanently enjoined . . . from slaughtering livestock or poultry, and then preparing, processing, selling, transporting, and/or offering for sale or transport any meat, meat food products, or poultry products that are required to be USDA-inspected and USDA-passed unless they have been so inspected and passed,**” *see* Injunction Order, at p. 4 ¶ 7(a) and at p. 5 ¶ 8 (“[defendants] will not slaughter livestock or poultry, and then prepare or process meat, meat food products, or poultry products, until FSIS issues a Federal Grant of Inspection”) (bold added);
- Defendants “**are permanently enjoined . . . affirmatively to keep such records as will fully and correctly disclose all of defendants’ meat-and-poultry-related business transactions as may be necessary for USDA FSIS to enforce the Acts effectively and as required under 21 U.S.C. §§ 460(b) and 642 and 9 C.F.R. §§ 320.1 and 381.175,**” *see* Injunction Order at p. 4 ¶ 7(b) and p. 10 ¶ 11 (such records were to include those showing: “(a) the names and addresses of persons and entities to whom products are sold or distributed; (b) the dates of sale or distribution; (c) the product types; and (d) the amounts or quantities,” as well as at least one copy of “(a) all label(s) affixed to the products; (b) all labeling affixed to shipping containers; and (c) all labeling, brochures, website pages, and other materials used to promote, describe, or refer to the products”) (bold added);
- Defendants are “**permanently enjoined . . . from failing:** (i) upon request of any authorized representative of the Secretary of Agriculture, and at all reasonable times, **to afford to representatives of USDA FSIS full and immediate access to Miller’s meat and/or poultry-related facilities, inventory, and records, including to allow such representatives to copy such records and to take reasonable samples of defendants’ inventory upon payment of fair market value;** (ii) to cooperate and

not interfere with that access; and (iii) to refrain from harassing or intimidating FSIS representatives conducting reviews as required by 21 U.S.C. § § 460(b), 461(c), 642, and 675,” *see* Injunction Order at p. 4 ¶ 7(c) and pp. 10-11 ¶ 12 (bold added);

- Defendants are “permanently enjoined . . . from failing to comply with all requirements of the FMIA, PPIA, and their implementing regulations that apply to slaughtering livestock or poultry, and/or then preparing, processing, selling, transporting, or distributing meat, meat food products, or poultry production. These implementing regulations include, but are not limited to, those imposing requirements for: (i) inspection; (ii) labeling; (iii) sanitation (including sanitation performance standards and standard operating procedures); (iv) Hazard Analysis and Critical Control Point (HACCP) systems; and (v) *Listeria monocytogenes* and/or other pathogen sampling, testing, and other program obligations, as provided under 9 C.F.R. § 302.1 and 9 C.F.R. Parts 310, 317, 381, 412, 416, 417, 418, and 430,” *see* Injunction Order at p. 5 ¶ 7(d).
- Defendants must not conduct any slaughter, processing, or preparation under a “custom” exemption without first obtaining USDA FSIS and/or judicial approval of an “Exempt Plan” for such operations, *see* Injunction Order at pp. 6-10 ¶ 10;
- Only if defendants were to take *all* of Miller’s amenable livestock and poultry that are intended for human consumption and not otherwise exempt to a federally inspected facility or facilities for slaughter and processing would defendants be permitted to forgo applying for a USDA Federal Grant of Inspection, but even if such a federally inspected facility were to slaughter and process all such livestock and poultry, any further processing by defendants of such federally inspected products must be done “as an exempt retail store in accordance with 9 C.F.R. §§ 303.1(d) or 381.10(d),” which include the requirement, among others, that Miller’s be subject to Commonwealth of Pennsylvania and local licensing requirements and applicable food codes, *see* Injunction Order at pp. 5-6, ¶ 9; and
- USDA FSIS may (in accordance with law) detain and seek judicial seizure of any non-federally-inspected, adulterated, misbranded, or not-exempt-from-inspection meat, meat food product, or poultry product observed at Miller’s that is in violation of the Acts, *see* Injunction Order at p. 11 ¶ 13.

11. The Injunction Order provided the following penalties, costs, and expenses for non-compliance:

- **Penalties for sale, transport, etc. of non-federally-inspected product:** “[I]f the defendants sell, transport, or offer for sale or transport any non-federally-inspected meat, meat food product, or poultry product in violation of [the Injunction] Order, . . . the defendants shall, **upon the first occasion of such violation, pay to the United States the sum of five hundred dollars for each pound, or portion thereof, of non-federally-inspected, misbranded meat, meat food product, or poultry product. For any subsequent violations, the defendants shall pay to the United States the sum of one thousand dollars for each pound, or portion thereof, of non-federally-inspected, misbranded meat, meat food product, or poultry product,**” *see* Injunction Order at p. 12 ¶ 16 (bold added);
- **Penalties for recordkeeping violations:** “If the defendants, in violation of [the Injunction] Order, fail to keep such records as will fully and correctly disclose the purchase, receipt, offer for sale, sale, transport, and/or any other transaction regarding non-federally-inspected, adulterated, or misbranded meat, meat food product, or poultry product involved in their business, the defendants shall **upon the first occasion** of such violation pay to the United States . . . the sum of **five hundred dollars for each pound, or portion thereof, of adulterated or misbranded meat, meat food product, or poultry product for which no record or an inadequate record was maintained. For any subsequent violations, the defendants shall pay to the United States the sum of one thousand dollars for each pound, or portion thereof, of non-federally-inspected meat, meat food product, or poultry product for which no record or an inadequate record was maintained,**” *see* Injunction Order at pp. 12-13 ¶ 17 (bold added);
- **Penalties for restricting access:** “If the defendants in violation of [the Injunction] Order[] fail to provide USDA FSIS with access to their meat or poultry facilities, inventory, or records that USDA FSIS requires to assess compliance, the defendants shall, upon the **first occasion** of such violation, pay to the United States . . . the sum of **two thousand, five hundred dollars** for such violation. For **each subsequent violation**, the defendants shall pay . . . the sum of **five thousand dollars,**” *see* Injunction Order at p. 13 ¶ 18 (bold added);
- **Costs and expenses related to enforcement:** “Should enforcement proceedings beyond [the Injunction] Order be necessary, the defendants agree that the United States shall be entitled to recover from the defendants all court costs and expenses incurred by FSIS in such proceedings, including investigation and preparation time and attorneys’ fees for the USDA and the United States Attorney’s Office,” *see* Injunction Order, at p. 13 ¶ 19 and p. 14 ¶ 20 (providing that FSIS’s expenses

“include . . . investigation and preparation time, at the rate of \$45.00 per hour per USDA employee”).

12. The Court also ordered that: “In accordance with Federal Rule of Civil Procedure 65(d)(2), this [Injunction] Order binds the parties and Amos Miller’s and Miller’s Organic Farm’s officers, agents, servants, and employees, as well as other persons who are in active concert or participation with them.” (Injunction Order, at p. 16 ¶ 25.)

13. In granting permanent injunctive relief, the Court retained jurisdiction to issue further decrees and orders that might be necessary to construe, carry out, modify, or enforce compliance with the Injunction Order. (Injunction Order, at p. 16 ¶ 32.)

14. After defendants violated the Injunction Order through illegal slaughtering and other activities, the parties entered into the Consent Decree, which the Court “ordered, adjudged, and decreed” on April 16, 2020.

15. Through the parties’ recitals and agreements in the Consent Decree, the following further facts were established and are consequently undisputed in this case:

- “FSIS investigators visited Miller’s in December 2019 and January 2020 and found the following (and other) material violations of the Injunction Order: (1) twice, Amos Miller hindered and denied FSIS access to his facilities and records; (2) in December [2019], Miller’s slaughtered and processed ‘amenable’ animals without federal inspection (Miller’s disposed of the resulting parts after FSIS ‘detained’ them—that is, after FSIS had applied a ‘U.S. Detained’ tag to them); [and] (3) in January [2020], Miller’s slaughtered additional beef animals without federal inspection (resulting in approximately 2,100 pounds of beef carcasses), and custom-slaughtered a hog without a required custom-exempt plan (FSIS detained the resulting beef and hog carcasses, but later released the hog carcass for the owner’s personal use),” *see* Consent Decree, at pp. 4-5;
- “More specifically, on January 22, 2020, when FSIS investigators went to Miller’s to determine whether defendants were complying with the Injunction Order, the investigators observed approximately 2,100 pounds of refrigerated, freshly-cut-up beef carcasses that were initially unlabeled, were capable of use as human food, were slaughtered or prepared without required USDA FSIS federal

inspection, and which, the investigators believed, were being offered or intended for sale, so the investigators detained the articles and affixed U.S. Detained tags to them,” *id.* at p. 5;

- “On February 10, 2020, the United States filed *United States of America v. 2,100 Pounds, More or Less, of Meat Carcasses, Parts of Carcasses, and Meat Food Products, and 34,062 Pounds, More or Less, of Meat Food Products and Poultry Products*, an in rem civil action docketed at EDPA No. 20-757 (the “Condemnation Action”),” *see id.* at p. 6;
- “In the Condemnation Action, on February 20, 2020, the U.S. Marshals Service arrested/seized the defendant articles,” including “approximately 2,100 pounds of meat carcasses and parts that FSIS investigators observed and detained at Miller’s in January 2020,” “but left the articles in place (frozen and stored) at Miller’s pending a condemnation hearing,” *see id.* at p. 6; and
- “In the Condemnation Action, the United States allege[d] that the defendant meat and poultry articles were subject to the Acts, were capable of use as human food, were slaughtered, processed, and/or prepared in violation of the Acts because without federal inspection, and were therefore prohibited from sale, offer for sale or transportation, or receipt for transportation in commerce,” *see id.*

16. In the Consent Decree, the Court ordered, adjudged, and decreed in part that:

a. Defendants had “engaged in conduct” as stated in the parties’ recitals “that violates the Acts and the Injunction Order,” *see* Consent Decree at p. 8 ¶ 2;

b. Defendants were required to pay \$2,500 to the United States for failing to provide access to Miller’s facilities, inventory, and records on January 24, 2020,” *see id.* at p. 8 ¶ 3;

c. Defendants were required to “**cease and desist all meat-and-poultry-related slaughtering, processing, custom-exempt operations, and retail-exempt operations (including retail-exempt operations conducted under 9 C.F.R. §§ 303.1(d) and 381.10(d)) unless and until defendants can demonstrate to FSIS compliance with applicable federal and State**

laws, including Commonwealth of Pennsylvania licensing requirements, as required by the Injunction Order,” *see id.* at p. 8 ¶ 4 (bold added); and

d. “Defendants must and shall remove from their websites and from their agents’ websites (including but not limited to Miller’s Facebook page, the Amos Miller Organic Farm website, and the Miller’s Organic Farm website) all references to the availability of ‘fresh’ or ‘non-frozen’ meat, meat food products, poultry, and poultry products, until such time, and except to the extent, that Miller’s is in compliance with applicable federal and State laws, including Commonwealth of Pennsylvania retail licensing requirements.” (*See id.* at p. 8 ¶ 5.)

17. Paragraph 7 of the Consent Decree allowed defendants a period to dispose of the 2,100 pounds of beef carcasses that defendants slaughtered on or about January 22, 2020, in violation of the Injunction Order. (*See* Consent Decree, at p. 12 ¶ 7.) Those beef articles were later, by August 2020, distributed or disposed of under USDA-FSIS’ oversight and with the consent of the interested parties, thereby mooted the need for a condemnation hearing and further proceedings in the Condemnation Action. (*See* Order, Docket Entry No. 12 in the Condemnation Action, at p. 4.)

Pre-April 2021 Facts Established in the June 2021 Contempt Record

18. On October 15, 2020, FSIS sent a Notice of Warning to Mr. Miller relating to FSIS’s findings of still-further violations at Miller’s between June 2020 and September 2020. (First Flanagan Declaration, ECF 89-1, at ¶ 7 and Exhibit “B” thereto [Oct. 2020 notice of warning]; Testimony of Paul Flanagan [June 16, 2021], Tr. at 119:20 to 121:2.)

19. During a November 17, 2020 visit to Miller’s, FSIS investigators detained approximately 123 pounds of non-federally-inspected pork and beef hot dog products from an unknown outside source that Miller’s apparently intended to resell to its customers. FSIS closed

its related detention action on November 25, 2020 after FSIS Investigators approved and observed Miller's disposition of the products. (First Flanagan Declaration, at ¶ 8; Testimony of Paul Flanagan [June 16, 2021], Tr. at 119:20 to 121:2.)

20. In a related February 16, 2021 Notice of Warning, FSIS warned Mr. Miller that:

a. Miller's offering of uninspected, improperly labeled meat products for sale to consumers on November 17, 2020 and on other dates violated the FMIA and Paragraphs 7 and 9 of the Injunction Order, *see* First Flanagan Declaration, at ¶ 9 and Exhibit "C" thereto (Feb. 2021 Notice of Warning) at p. 2;

b. Miller's had "failed to maintain records that fully and correctly disclose transactions involving the meat products in question, including, but not limited to, maintaining the name and address of individual(s) who made/supplied the products, receiving papers, and bills of sale, in violation of 21 U.S.C. 642, 9 C.F.R. 320.1, and Paragraphs 7, 9, and 11 of the Injunction Order," *see id.*; and

c. "Future violations could result in regulatory action, detention or judicial seizure of violative product, referral to the U.S. Attorney's Office for initiation of criminal or civil enforcement action or contempt proceedings, or other legal action, including imposition of substantial monetary penalties for violations of the Injunction Order." (*Id.* [Notice of Warning] at pp. 2-3; Testimony of Paul Flanagan [June 16, 2021], Tr. at 119:20 to 121:2.)

Post-April 2021 Facts Established at the June 2021 Hearings and in Related Submissions

21. Miller's—which has approximately 24 employees—receives a significant percentage of live animals from non-Miller's farmers, including approximately 50% of its chickens, and 5% of its beef and pork. (Testimony of Amos Miller [June 16, 2021], Transcript at 91:19 to 92:9 and at 94:9-25.)

22. Belmont Meats, LLC (“Belmont Meats”) is a federally inspected meat and poultry slaughter and processing establishment located in close proximity to Miller’s. (First Flanagan Declaration, at ¶ 10; Testimony of Belmont Meats Manager Daniel Zook [June 16, 2021], Tr. at 101:14-22.)

23. Following the Injunction Order, and until May 2018, Miller’s had been taking live animals raised on his farm and animals raise on other farms that Miller’s had purchased to Belmont Meats for slaughter. Belmont Meats would take the animals’ “insides out” and return the animal carcasses to Miller’s. (Testimony of Amos Miller [June 16, 2021], Tr. at 92:6-23; Testimony of Daniel Zook [June 16, 2021], Tr. at 102:10-18 and at 107:16-18.)

24. By May 18, 2021, Amos Miller had decided to stop taking Miller’s livestock and poultry to Belmont Meats for slaughtering or processing. (First Flanagan Declaration, at ¶¶ 13, 30; Testimony of Amos Miller [June 16, 2021], Tr. at 55:21 to 56:7 and at 86:25 to 87:3 [agreeing that he canceled his “future deadlines with Belmont”]; Testimony of Daniel Zook [June 16, 2021], Tr. at 107:25 to 109:17 [stating that, in mid-May, Mr. Miller canceled future slaughter dates at Belmont Meats].)

25. The last date in May 2021 that Belmont Meats received any animal from Miller’s for slaughtering was May 3, 2021. (Second Flanagan Declaration, at ¶ 11; Flanagan Testimony [June 23, 2021], Tr. at 11:5-10.)

26. None of Miller’s amenable animals was slaughtered at Belmont Meats between on or about May 3, 2021 and on or about June 8, 2021—a period of 36 days. (First Flanagan Declaration, at ¶ 11; Second Flanagan Declaration, at ¶¶ 12-13.)

27. The shelf life for fresh, non-frozen meat and meat food products is between approximately ten and 14 days. (Second Flanagan Declaration, at ¶ 13.) In May 2021, Miller’s

amenable meat products that Belmont Meats had slaughtered would therefore probably not have been fresh after May 17, 2021, which is the day before Miller's slaughtered two beef cattle at its Bird-in-Hand farm site. (Testimony of Paul Flanagan [June 16, 2021], Tr. at 123:15-22 [stating that chickens, beef livestock, and hogs are all "amenable products" because subject to the Meat Act or the Poultry Act].)

28. Amos Miller's explanation for ceasing to use Belmont Meats for slaughtering his animals in May 2021 was that Belmont Meats was no longer willing to use Miller's citric acid blend as an antimicrobial when Belmont Meats slaughtered Miller's animals. (Testimony of Amos Miller [June 16, 2021], Tr. at 39:5 to 41:12; *see also id.* at 91:5-6 [Mr. Miller stating that he does not recall discussing with Belmont antimicrobial options other than an acid spray]; *see also* Testimony of Daniel Zook [June 16, 2021], Tr. at 114:7-20 [stating that the purpose of an antimicrobial is mostly to kill E.coli bacteria, and Belmont Meats' antimicrobial is a safeguard that he would not feel comfortable operating Belmont Meats without using]; Testimony of Paul Flanagan [June 16, 2021], Tr. at 122:5-13 and 136:5 to 137:25.)

29. Belmont Meats' manager, Daniel Zook, testified that he was no longer willing to use Miller's own citric acid as an antimicrobial because Belmont Meats: (a) is trying to become a fully licensed federally inspected establishment (it currently has only a temporary grant of inspection, or what is formally known as a "conditional grant of inspection"); and (b) believes that the antimicrobial it has been using since last year (Peracetic Acid, or "PAA," which is made of peroxide and citric acid) is optimal for controlling pathogens under Belmont Meats' current circumstances. (Testimony of Daniel Zook [June 16, 2021], Tr. at 102:19 to 104:21, and at 106:14 to 107:15; *see also id.* at 111:17-21 [Q. "Are there other farmers that have issues like Amos with the citric acid?" A. "We never had another . . . request for—no, no other farmer

challenged us with our antimicrobial that we used, everyone else accepts it, because that's what we use."].)

30. Unwilling to take his animals to Belmont Meats under such circumstances, Mr. Miller decided to slaughter his livestock and poultry (and poultry he purchased from other farmers) at Miller's Organic Farm, beginning on or after May 3, 2021. Mr. Miller based that decision on his own conscience and did not consult or seek permission from the Court, USDA FSIS, the U.S. Attorney's Office, or even his own counsel. (First Flanagan Declaration, at ¶ 16; Testimony of Amos Miller [June 16, 2021], Tr. at 40:25 to 41:1, 73:16 to 74:8, and 87:4-5 ["I was concerned about the citric acid, my conscience just couldn't take me to sell this meat to the members."]; *see also id.* at 83:24 to 84:1 ["Q. Were you aware that by slaughtering these animals and selling them, that you were violating the consent decree? A. Yes."].)

31. Miller's illegally slaughtered two beef livestock at its farm site on May 18, 2021. (Second Flanagan Declaration, at ¶ 10; Testimony of Amos Miller [June 16, 2021], Tr. at 43:17-20, 44:6-9 [acknowledging that at least some of the resulting product went to "members . . . in need of fresh meat without citric acid"] and at 57:11 to 58:25 [stating that he slaughtered animals in May 2021—including two beef animals that he had raised on his "other farm" in Virginia—because "we have members . . . that want fresh meat, not citric acid applied"]; *but see also id.* at 69:14-25 [Mr. Miller later denying that Miller's sold any parts from the beef carcasses for human consumption].)

32. The next day, May 19, 2021, Miller's accepted an order for a UPS shipment to Virginia of Miller's "fresh beef thyroid 8 oz.," "8 oz. fresh beef adrenals," and "2 lb gr beef/organ fresh." These products were later paid for on June 1, 2021. (Second Flanagan Declaration, at ¶¶ 14, 19 [stating professional belief that these products came from one of the

beef carcasses slaughtered without federal inspection at Miller's on May 18, 2021, and noting that Mr. Miller testified in 2019 that his members who place orders over the internet pay for their orders *after* receiving delivery of products]; *see also* Testimony of Amos Miller [June 16, 2021], Tr. at 72:11-23 [stating that if a Miller's retail or online customer wishes to purchase fresh, non-frozen meat or poultry, they specify "fresh" before checkout].)

33. Miller's illegally slaughtered three pigs at its farm site on May 21, 2021. (Second Flanagan Declaration, at ¶ 10.)

34. On May 25, 2021, seven days after Miller's illegally slaughtered two beef livestock at its farm site, Miller's:

a. accepted an order for a FedEx ground shipment to New York of "1 pk fresh sirloin" and "1 pk fresh NY steak" (these products were later paid for on June 8, 2021), *see* Second Flanagan Declaration, at ¶¶ 15, 19 (stating belief that these products came from one of the beef carcasses slaughtered without federal inspection at Miller's on May 18, 2021);

b. accepted an order for a FedEx ground shipment to New Jersey of "1 lb. beef tenderloin fresh (this product was later paid for on June 11, 2021), *see* Second Flanagan Declaration, at ¶¶ 17, 19 (stating belief that this product came from one of the beef carcasses slaughtered without federal inspection at Miller's on May 18, 2021); and

c. accepted an order for a FedEx overnight shipment to Ohio of "7 Beef Tenderloin Fresh," which were later paid for on June 1, 2021. (Second Flanagan Declaration, at ¶¶ 18, 19 [stating belief that these products came from one of the beef carcasses slaughtered without federal inspection at Miller's on May 18, 2021]; Testimony of Paul Flanagan [June 23, 2021], at 11:15-25 to 13:2; *see generally* Testimony of Paul Flanagan [June 16, 2021], at 123:24 to 124:5 [Q. "Was the slaughtering that . . . Mr. Miller told you had recently taken place at

Miller's, done under federal inspection?" A. "No, sir, there was no indication of that." Q. "Was it being done under an exemption from the federal inspection requirement?" A. "No. Miller does not have an approved custom plan."].)

35. On May 25, 2021, Amos Miller acknowledged to FSIS investigators that he had been slaughtering livestock and poultry at Miller's and that his employees were in the process of slaughtering chickens, which the investigators then observed at Miller's. (First Flanagan Declaration, at ¶¶ 14, 18.)

36. On that occasion, Miller's continued to slaughter hundreds of chickens for an additional seven hours after the investigators arrived, despite an investigator warning Mr. Miller that he was in violation of the Court's orders. (First Flanagan Declaration, at ¶ 21; Testimony of Paul Flanagan [June 16, 2021], Tr. at 122:24 to 123:14, and at 126:13 to 127:7.)

37. Also on that occasion Mr. Miller told an FSIS investigator that he was slaughtering at Miller's because he needed the meat and poultry products for his members, who did not want chemicals or citric acid in their products. The investigator then explained to Mr. Miller, as he had in the past, that there are several different methods that can be implemented as antimicrobial interventions for pathogens and that applying citric acid is not the only option that is acceptable to FSIS. (First Flanagan Declaration, at ¶ 15; Testimony of Paul Flanagan [June 16, 2021], Tr. at 122:18-23.)

38. On that date, May 25, 2021, FSIS investigators placed under U.S. detention (by affixing U.S. Detained Tag Numbers 129054 through 129062, and 530783) the following products that appeared recently slaughtered and that were void of any USDA inspection legend or tags identifying the animals' owners or indicating that the articles were "not for sale":

(a) approximately 1,851 pounds of poultry carcasses (394 whole chickens), feet, heads, livers,

gizzards, and trimmings; (b) approximately 650 pounds of a beef carcass and two beef heads; and (c) approximately 600 pounds of whole hog carcasses. (First Flanagan Declaration at ¶¶ 18, 19, 25, 26; Testimony of Paul Flanagan [June 16, 2021], Tr. at 127:20-23.)

39. The United States has since filed an *in rem* civil action seeking to seize and condemn those detained articles. That action is captioned in this Court as *United States of America v. (1) 1,576 Lbs., More or Less, of Poultry Carcasses; (2) 274 Lbs., More or Less, of Chicken Feet, Heads, Livers, Gizzards, and Carcass Trimmings; (3) 650 Lbs., More or Less, of a Beef Carcass and 2 Beef Heads; and (4) 600 Lbs., More or Less, of Hog Carcasses*, which appears at Docket No. 21-cv-2638 (“The Second Condemnation Action”).

40. On June 24, 2021, in the Second Condemnation Action, the United States Marshals Service arrested the detained articles (hereafter referred to as “the seized articles”) but left them “in place” in freezers at Miller’s. (Second Condemnation Action, ECF No. 3.)

41. On May 25, 2021, in a large, walk-in freezer at Miller’s, FSIS investigators observed (in addition to the “fresh” seized articles) numerous boxes containing frozen meat and poultry products (hereafter referred to as “the frozen products”), only some of which stated that they contained product identified as “Buffalo” (which is non-amenable, *i.e.*, not subject to the FMIA and PPIA), and none of which bore reference to the: (a) types of contained products (*e.g.*, “steak,” “chop,” “ground”); (b) the numbers of contained packages; or (c) any name or address of any facility at which the articles were slaughtered and/or processed. None of the boxes or articles were identified as for Miller’s “personal use.” (First Flanagan Declaration, at ¶ 20; Testimony of Amos Miller [June 23, 2021], Tr. at 77:22-25, 78:1-15 [stating that only approximately 50 percent of these contained buffalo products, and that the rest is veal, goat, pork, beef, and turkey].)

42. On May 25, 2021, Mr. Miller told FSIS investigators that: (a) he did not have any records related to purchases of the fresh livestock and poultry articles that FSIS detained that day; (b) he did not have any records (including any sales invoices) relating to the purchases or sales of Miller's livestock and poultry products more generally; and (c) the missing beef carcass belonging to a detained beef head had "probably" been further processed, cut up, and sold to his customers. (First Flanagan Declaration, at ¶ 27; Testimony of Paul Flanagan [June 16, 2021], Tr. at 127:24 to 128:19 ["I then asked Mr. Miller if he had any records related to the sale of the missing beef carcass and Mr. Miller said he didn't. I asked him if it was sold to his members. And he replied, probably."] and at 163:15-20 [stating that Miller's was required to keep, "for a minimum of two years," records for beef livestock slaughtered at the farm].)

43. Records that Miller's later produced, on June 22, 2021, state that Miller's slaughtered 408 broilers (chickens) on May 25, 2021. (Second Flanagan Declaration, at ¶ 10.)

44. According to Mr. Miller, it is not uncommon for Miller's staff to take weeks to complete meat-and-poultry-related slaughter records. (Testimony of Amos Miller [June 16, 2021], Tr. at 66:25 to 67:25.)

45. On May 25, 2021, when an FSIS investigator asked Mr. Miller if he would be continuing to slaughter livestock and poultry at Miller's the following day (May 26) without a Federal Grant of Inspection or an approved custom slaughter plan, he responded: "I will continue to slaughter if I am allowed or if it is what my members want. It is up to my members." (First Flanagan Declaration, at ¶ 29.)

46. On May 26, 2021, which was eight days after Miller's illegally slaughtered two beef livestock at its farm site, Miller's accepted an order for a FedEx ground delivery to Virginia of "2 lb. g. beef fresh." That product was later paid for on June 8, 2021. (Second Flanagan

Declaration, at ¶¶ 16, 19 [stating belief that this product came from one of the beef carcasses slaughtered without federal inspection at Miller's on May 18, 2021].)

47. Also on May 26, 2021, which was the day after FSIS had detained the seized articles, 104 live chickens were shipped to Miller's. (Second Flanagan Declaration, at ¶ 21.)

48. On May 28, 2021, FSIS investigators returned to Miller's and oversaw the freezing (to avoid spoiling) of the seized articles. On that date, Miller's employees told FSIS that they did not maintain slaughter records for the recently slaughtered livestock and poultry. (First Flanagan Declaration, at ¶ 31.)

49. Invoices dated May 29, 2021 and May 31, 2021 reflect further shipments to Miller's of 104 live chickens (567 pounds dressed weight) and 198 live chickens (1,160 pounds dressed weight), respectively. (Second Flanagan Declaration, at ¶ 21; Testimony of Paul Flanagan [June 23, 2021], at 13:3 to 14:12; *see also* Testimony of Amos Miller [June 16, 2021], Tr. at 62:13 to 63:9 and at 64:18 to 65:15 [stating that the chickens that FSIS detained in May 2021 came from Miller's farm and from another farm, and that Miller's purchases chickens at a "dress weight" price from five or six farms and then slaughters them before selling them]; Miller's Objections to Proposed Order, ECF No. 99 at ¶ 3 [stating: "live chickens are normally shipped days before an invoice is completed. The date of the invoice is the date the invoice was created, not the date the chickens were shipped."].)

50. On June 4, 2021, an FSIS investigator and two FSIS veterinarians visited Miller's for the purposes of determining: (a) the ages of the two beef heads that FSIS investigators had detained on May 25, 2021; and (b) whether Specified Risk Materials (SRMs) had been removed from the associated carcasses. (First Flanagan Declaration, at ¶ 32.)

51. It is critical that such SRMs be removed from cattle carcasses. Over 18 years ago, on January 12, 2004, FSIS concluded that the following cattle materials are unfit for human food: (a) from cattle 30 months of age and older, the brain, skull, eyes, trigeminal ganglia, dorsal root ganglia, spinal cord, and vertebral column (excluding the vertebrae of the tail, the transverse processes of the thoracic and lumbar vertebrae, and the wings of the spinal sacrum); and (b) from all cattle, the tonsils and distal ileum of the small intestine. (First Flanagan Declaration, at ¶ 33; Testimony of Paul Flanagan [June 16, 2021], Tr. at 132:15 to 133:3.)

52. FSIS therefore designated those materials to be SRMs, declared them inedible, and (under FSIS's authority to promulgate regulations necessary to carry out the FMIA) prohibited their use for human food. (First Flanagan Declaration, at ¶ 34, *citing* 9 C.F.R. Part 310.22; Testimony of Paul Flanagan [June 16, 2021], Tr. at 132:15 to 133:3.)

53. If a meat food product intended for human consumption contains such SRMs, it is adulterated because it is unfit for human food. (First Flanagan Declaration, at ¶ 35, *citing* 21 U.S.C. § 601(m)(3) [meat food product is adulterated under FMIA if, among other things, it is unsound, unhealthful, unwholesome, or unfit for human food]; Testimony of Paul Flanagan [June 16, 2021], Tr. at 132:15 to 133:3.)

54. The FMIA prohibits anyone from selling, transporting, offering for sale or transportation, or receiving for transportation in commerce any adulterated meat food product. (First Flanagan Declaration, *citing* 21 U.S.C. § 610; Testimony of Paul Flanagan [June 16, 2021], Tr. at 132:15 to 133:3.)

55. On June 4, 2021, the FSIS veterinarians examined the detained beef heads and determined that: (a) one head was over 30 months old; (b) the other was under 30 months old; (c) there was no way to determine which head (if either) belonged to the beef carcass being

detained in Miller's cooler; and (d) the brains had been removed from both heads. (First Flanagan Declaration, at ¶ 36; Testimony of Paul Flanagan [June 16, 2021], Tr. at 133:4-16 [Q. "[W]ere those findings of any concern or did they raise any questions?" A. "They did, because the—brain was not there for either head and one was determined to be over thirty months of age and the brain would be considered an SRM on that head."].)

56. On that date, Mr. Miller told FSIS that he: (a) did not know the whereabouts either of certain SRMs from the beef livestock whose heads FSIS had detained, or of related records; and (b) did not believe that there were any available records related to the animals' birth dates, vaccination dates, castration dates, or any official health certificates. (First Flanagan Declaration, at ¶¶ 32-38, 40; *see also* Testimony of Amos Miller [June 16, 2021], Tr. at 61:9-10 [stating that Miller's does not have records showing where the brains from the cattle went]; Testimony of Paul Flanagan [June 16, 2021], Tr. at 131:8-10 and 134:15 to 135:1.)

57. In conflict with his statements to FSIS investigators on May 25, 2021, Mr. Miller stated, on June 4, 2021, that one of the carcasses associated with one of the detained beef heads had been ground into pet food that was located in Miller's freezer. When asked whether there was any way to identify the pet food as coming from the missing beef carcass, he stated: "there is no way to tell where it came from." (First Flanagan Declaration, at ¶ 39.)

58. An FSIS Northeast Regional Director and two FSIS investigators visited Miller's on June 22, 2021 for the purpose of reviewing and making copies of certain of Miller's meat-and-poultry-related records for the period April 15, 2021 to June 15, 2021. (Second Flanagan Declaration, at ¶ 8.)

59. During FSIS's June 22, 2021 record review, Miller's was unable to produce any records regarding the slaughter, processing, and receipt of products from ducks, veal, lamb, and

goats, which are all “amenable species”—that is, they are all subject to the Meat Act or the Poultry Act. (Second Flanagan Declaration, at ¶ 9.)

60. On that date, Mr. Miller told FSIS that he does not keep grinding logs for ground beef. He also confirmed both that he had no records showing the ages of the beef cattle that Miller’s slaughtered on or about May 18, 2021 and that he has no records regarding: (a) the removal or non-removal of SRMs from cattle (including from the beef carcass and heads that FSIS detained on May 25, 2021); (b) how Miller’s disposes of SRMs; or (c) Miller’s pet food production. (Second Flanagan Declaration, at ¶ 22; Testimony of Amos Miller [June 16, 2021], Tr. at 59:12-22 [acknowledging Miller’s lack of records regarding the age of the cattle] and at 61:9-10 [stating that Miller’s does not have records showing where the brains from the cattle went].)

61. Also on that date, Mr. Miller showed FSIS two containers of frozen beef brains that he said were from the beef animals that he slaughtered at Miller’s on or about May 18, 2021 (including associated with the carcass that FSIS detained on May 25, 2021). Both containers were labeled (with a price) for retail sale. (Second Flanagan Declaration, at ¶ 20; *see also* Testimony of Amos Miller [June 16, 2021], at 59:23 to 61:10 [stating that brains from the two livestock are located on a shelf in Miller’s freezer].)

62. The following meat and poultry articles were not slaughtered or processed for Mr. Miller’s or his family’s personal use, but instead were intended for sale to Miller’s private associations members for human consumption: (a) the articles resulting from Miller’s slaughtering of poultry that FSIS observed or found beginning on May 25, 2021; and (b) at least some of the articles resulting from Miller’s slaughtering of beef and hogs in May 2021. Supporting evidence includes that: (a) Miller’s employees (not Mr. Miller) did the slaughtering;

(b) the amount of resulting articles/products was significantly more than the allowable standard poundage for personal use; and (c) none of the resulting articles was tagged or otherwise identified as “not for sale.” (Testimony of Paul Flanagan [June 23, 2021], Tr. at 14:13 to 15:2.)

63. Although the Injunction Order bound not just Amos Miller and Miller’s but also their “officers, agents, servants, and employees, as well as other persons who are in active concert or participation with them”—and although the Consent Decree required Mr. Miller and Miller’s to remove from their websites and their agents’ websites “all references to the availability of ‘fresh’ or ‘non-frozen’ meat, meat food products, poultry, and poultry products, until such time, and except to the extent, that Miller’s is in compliance with applicable federal and State laws, including Commonwealth of Pennsylvania retail licensing requirements”—Miller’s has continued to advertise on the internet a large variety of amenable meat and poultry products for sale for human consumption, including “fresh” meat and poultry products, without being in compliance with such laws. (Testimony of Paul Flanagan [June 23, 2021], Tr. at 9:18-25 to 10:1-7 and at 23:5 to 24:9; Testimony of Paul Flanagan [June 16, 2021], Tr. at 135:20 to 136:4; *see also* Testimony of Amos Miller [June 16, 2021], Tr. at 73:2-7 [acknowledging that Miller’s coordinators advertise Miller’s meat and poultry products on Miller’s websites].)

64. Miller’s continues to operate a retail store (open Monday through Saturday) at its main farm location, where it sells amenable meat and poultry products. (Testimony of Paul Flanagan [June 23, 2021], Tr. at 10:8-25 to 11:1.)

65. To date, Mr. Miller has chosen not to apply to USDA FSIS for Miller’s to be a federally inspected establishment, even though he could make such an application and has been educated by FSIS on the application process. (Testimony of Amos Miller [June 16, 2021], Tr. at 73:13-15; Testimony of Paul Flanagan [June 16, 2021], Tr. at 162:13-23.)

66. To date, Mr. Miller's actions call into question his motivation to continue to pursue with FSIS a plan for custom-exempt operations as permitted under Paragraph 10 of the Injunction Order. FSIS has spent substantial time and energy working with Miller's to review and provide feedback on Miller's draft custom exempt plans, which appear to FSIS to have since been abandoned by Miller's. (Testimony of Scott Safian [June 23, 2021], Tr. at 31:20 to 35:25, 57:5 to 60:21, 62:7 to 63:14, and 67:5 to 69:12; Testimony of Paul Flanagan [June 16, 2021], Tr. at 162:24 to 163:4.)

67. Mr. Miller and Miller's do not have a required license from the Commonwealth of Pennsylvania to operate a retail store selling meat or poultry products, and also do not have a required license from the Commonwealth to manufacture pet food. (Testimony of Amos Miller [June 16, 2021], Tr. at 72:8-10; Testimony of Paul Flanagan [June 16, 2021], Tr. at 125:9-20 and 163:5-7.)

68. FSIS has not singled out Miller's or denied it any accommodation that FSIS has extended to similarly situated farmers. (Testimony of Paul Flanagan [June 16, 2021], Tr. at 139:6-15.)

69. Other Pennsylvania Amish/Mennonite meat and poultry farmers and sellers routinely submit to FSIS inspection and other statutory and regulatory requirements, including: (a) Belmont Meats, which is Amish-run; and (b) Miller's Bio Diversity Farm, which is an Amish/Mennonite-run retail operation and is unaffiliated with defendant Miller's Organic Farm. Both Belmont Meats and Miller's Bio Diversity Farm are located near Miller's Organic Farm. FSIS has worked with those individuals and businesses (just as it has sought to do with Miller's) to come up with best-suited, least-burdensome ways to comply with the Acts. These establishments invest time, effort, and money: (a) to have USDA FSIS inspectors verify their

compliance; (b) in testing and sampling products to ensure they are free from pathogens; and (c) in maintaining required records, even though they do not use computers (for religious reasons). (Testimony of Scott Safian [June 23, 2021], Tr. at 41:22 to 43:3; Testimony of Belmont Meats Manager Daniel Zook [June 16, 2021], Tr. at 110:5-13 [“we’re a federally inspected plant. . . . So we try to do it legally [W]e don’t want to jeopardize anything here.”]; Testimony of Paul Flanagan [June 16, 2021], Tr. at 138:1 to 139:5.)

70. Part of FSIS’s statutory mission is to ensure that unwholesome, adulterated, mislabeled, or deceptively packaged meat and poultry products (including non-federally-inspected products that should be inspected) do not compete unfairly with wholesome, not adulterated, and properly labeled and packaged products. (Testimony of Scott Safian [June 23, 2021], Tr. at 40:14 to 41:21; *see also* 21 U.S.C. §§ 451, 602.)

71. As recently as October 2020, FSIS officials and Pennsylvania Department of Agriculture officials traveled to Lancaster, Pennsylvania to meet with Mr. Miller to educate him again (during the pandemic) about FSIS and Pennsylvania laws, how to obtain a grant of inspection, and how to obtain exemptions from inspection requirements, among other matters. (Testimony of Scott Safian [June 23, 2021], Tr. at 30:24 to 31:19.)

72. Although Mr. Miller has been repeatedly educated and warned by FSIS about recordkeeping requirements under the Acts, Miller’s has not invested in the sorts of recordkeeping practices that the Acts require, that other comparable establishments have in place, that are a part of good business practice, and that could feasibly be implemented even without the use of computers. In violation of the Acts, Miller’s does not maintain timely, detailed records that fully and correctly document Miller’s meat-and-poultry-related business transactions. (Testimony of Scott Safian [June 23, 2021], Tr. at 37:12 to 40:13 [stating, in part,

that Miller's, in violation of the Acts, does not maintain required ground beef grinding logs or records]; *see generally* 21 U.S.C. §§ 460(b), 642; 9 C.F.R. §§ 320.1, 381.175.)

73. During the 2016 subpoena enforcement action, when the possibility of further civil or criminal enforcement against Miller's arose, the Court stated its hope that the federal government would work with Mr. Miller in an effort to bring his operations into compliance.

74. The federal government has shown that it took that stated hope seriously and has made good faith efforts to seek to bring Mr. Miller into compliance. FSIS has exercised considerable enforcement discretion in the hope that such restraint would aid Miller's compliance. Indeed, when in late 2019 and early 2020 Miller was found in violation of the Injunction Order's prohibitions on slaughtering and denying FSIS access, and the Order's recordkeeping requirements, FSIS (as a part of the April 2020 Consent Decree) sought far less from defendants than it could have pursued for the violations under the Injunction Order's penalty provisions. It sought only a \$2,500 penalty for only one of Miller's denials of access. Even so, Mr. Miller—as reported to the Court during status calls in 2020—was several months late in making that payment. (Testimony of Scott Safian [June 23, 2021], Tr. at 36:1-16 and at 61:19 to 62:5; Testimony of Paul Flanagan [June 16, 2021], Tr. at 139:10-15.)

75. Miller's is not a small-scale operation and has had and continues to have significant intrastate and interstate sales of meat, poultry, and other food products. (Testimony of Amos Miller [June 16, 2021], Tr. at 94:9 to 95:9 [stating that Miller's has approximately 24 employees, over 2,000 active buyer's club customer-members, and sales "Throughout the country"].)

76. In addition to his original Bird-in-Hand, Pennsylvania farm, Mr. Miller owns an adjoining farm that he purchased for \$1.45 million in September 2020, during the height of the

COVID-19 pandemic. Mr. Miller testified that his wife and he financed \$1.4 million of the purchase price and has “a million to pay.” He thus apparently put down \$50,000 at the time of purchase last year and has paid off approximately \$400,000 of the loan, plus interest. The property generates \$7,800 of monthly rental income, \$5,800 a month of which goes to pay the mortgage debt. (Testimony of Amos Miller [June 23, 2021], Tr. at 80:25 to 85:17 and 88:8 to 89:15.)

77. Mr. Miller is also the 50 percent co-owner of Burke’s Garden Farms in Tazewell, Virginia, where beef and lamb animals are raised. Mr. Miller estimates the value just of the farm property as \$2.4 million. (Testimony of Amos Miller [June 23, 2021], Tr. at 85:18 to 87:6.)

78. As of June 23, 2021, Mr. Miller had a line of credit from a bank on which \$200,000 was available. (Testimony of Amos Miller [June 23, 2021], Tr. at 91:21 to 92:4 and 93:10-14.)

79. Mr. Miller is currently making a significant capital improvement to his main farm. He is building a large outbuilding for his two daughters’ upcoming weddings and other uses. He estimates the building costs for the structure to be between \$100,000 and \$200,000. (Testimony of Amos Miller [June 23, 2021], Tr. at 78:16 to 80:6.)

80. FSIS’s costs total \$14,436.26 for its: (a) visits to Miller’s on May 25, May 28, June 4, and June 22, 2021; (b) participation in conference calls with the Court and counsel in May and June 2021; (c) participation in hearings in June 2021; and (d) reasonable preparation time. (Safian Declaration, at ¶¶ 8-13 and attachment B-1 thereto; Testimony of Scott Safian [June 23, 2021], Tr. at 46:16 to 47:1.)

CONCLUSIONS OF LAW

81. The Court has continuing subject-matter jurisdiction over enforcement of the Injunction Order and continuing personal jurisdiction over all of the parties. (Injunction Order, at ¶ 32 [“The court retains jurisdiction to issue further decrees and orders[.]”].)

82. Defendants Amos Miller and Miller’s Organic Farm have engaged in conduct, as set forth in the findings above, that violates the Meat Act, the Poultry Act, the Injunction Order, and the Consent Decree.

83. In violation of the Acts, the Injunction Order, and the Consent Decree—on at least May 18, 2021, May 21, 2021, and May 25, 2021—Miller’s slaughtered and at least partially processed, without federal inspection, amenable beef livestock, hogs, and chickens that were capable of use as human food, for the purpose of selling and offering for sale resulting meat food and poultry products in commerce to Miller’s buyers’ club members.

84. At least a portion of those illegally slaughtered products that were beef products were adulterated, in violation of the Meat Act, because the products contained Specified Risk Materials (SRMs) that Miller’s had not removed.

85. Miller’s illegal slaughtering activity continued—in violation of the Acts, the Injunction Order, and the Consent Decree—even after FSIS told Amos Miller, during a May 25, 2021 site visit, that his slaughtering activity was illegal. Indeed, Mr. Miller thereafter continued to purchase and accept from other locations live amenable animals for slaughter and sale or offer of sale.

86. In violation of the Acts and the Injunction Order, Miller’s does not maintain timely, detailed records that fully and correctly disclose and document, for amenable animals and resulting products: (a) animal purchases; (b) animal slaughter dates; and (c) other meat-and-

poultry-related business transactions, including the sales of Miller's amenable meat and poultry products. For amenable livestock, Miller's, in violation of the Acts, does not maintain required ground beef grinding logs or records documenting the ages of slaughtered cattle, the removal of SRMs, or the disposal of SRMs.

87. Defendant Amos Miller, the alter ego of defendant Miller's Organic Farm, has had knowledge of the Court's Injunction Order and Consent Decree but has disobeyed those orders: (a) in ways that are not merely technical or inadvertent; (b) despite compliance with the orders being both required and feasible; and (c) despite FSIS continually offering to assist him in coming into compliance and, in fact, meeting with him in late 2020 in Lancaster, Pennsylvania to respond to his questions about legal requirements.

88. Defendants' continuing failures and refusals to comply with this Court's Injunction Order, the Consent Decree, and the Acts have flouted this Court's authority and the rule of law and have impaired and will continue to impair the USDA's and FSIS's ability to fulfill their public health missions.

89. Defendants' continuing failures and refusals to comply with this Court's Injunction Order, the Consent Decree, and the Acts have needlessly caused FSIS investigators to return multiple times to Miller's Organic Farm in unsuccessful efforts to bring defendants into compliance, and have caused FSIS and USDA to incur related, unnecessary costs.

90. "Sanctions for civil contempt are 'penalties designed to compel future compliance with a court order, are considered to be coercive and avoidable through obedience, and thus may be imposed in an ordinary civil proceeding upon notice and an opportunity to be heard[.]'"

Beautyman v. Laurent, No. 17-cv-5804, 2021 WL 1238717, at *3 (E.D. Pa. Apr. 2, 2021), citing *Int'l Union, United Mine Workers v. Bagwell*, 512 U.S. 821, 827 (1994).

91. Civil contempt sanctions: (a) “may include fines, incarceration or a reimbursement of costs incurred while seeking to obtain compliance”; and (b) may also be used “to compensate for losses sustained by the disobedience,” which can include putting the moving party, such as USDA FSIS here, in the “position it would have been in had” Miller’s “done what the Court ordered him to do.” *Beautyman*, 2021 WL 1238717, at *3-4, citing *Robin Woods Inc. v. Woods*, 28 F.3d 396, 400 (3d Cir. 1994).

92. On June 9, 2021, the Court ordered defendants to show cause why they should not be held in contempt, and the Court held a hearing on June 16, 2021 allowing defendants to respond. After the Court found defendants in contempt following that hearing—a finding and conclusion that the Court reiterates here—the Court held another hearing on June 23, 2021 allowing defendants to be heard on the scope of an appropriate contempt sanction. The Court also gave defendants an opportunity to respond to the United States’ proposed findings of fact, conclusions of law, and sanction order (ECF No. 95), which defendants did (ECF No. 99), and the Court further held oral argument on an appropriate sanction on July 19, 2021.

93. Upon consideration of the parties’ evidence and arguments, the following sanctions are necessary to deter defendants’ future violations and to attempt to bring them into compliance with the Court’s orders.

THE ORDERED CONTEMPT SANCTIONS

\$250,000 Fine

94. In addition to defendants' previous post-Injunction-Order illegal slaughtering activity in early 2020, defendants, at the very least, slaughtered for human consumption and commercial sales, and without required federal inspection: (a) amenable beef livestock on May 18, 2021; (b) amenable hogs on May 21, 2021; and (c) amenable chickens on May 25, 2021 and later dates.

95. Although the Injunction Order's penalty provisions and procedures do not bind the Court when determining an appropriate civil contempt sanction, the Court looks to those provisions for guidance.

96. The approximate weight of the missing amenable beef carcass associated with one of the beef heads that FSIS detained on May 25, 2021 is 600 pounds. Under Injunction Order Paragraph 16, even if the Court were to view the illegal slaughter of the animal that resulted in that carcass as a "first occasion of such violation," the penalty amount would be 600 pounds times \$500, or \$300,000. (The amount would be doubled if the Court were to view this, as it could, as a second such occasion.)

97. The approximate weight of the other amenable beef livestock, poultry, and hog articles that FSIS detained on May 25, 2021 is 3,100 pounds. Under Injunction Order Paragraph 16, even if the Court were to view the slaughter of the beef livestock, chickens, and hogs resulting in these articles as first occasions of such violations, the penalty amount would be 3,100 pounds times \$500, or \$1,550,000. (Again, this amount would be doubled if the Court were to view this, as it could, as a second such occasion.)

98. Regarding defendants' recordkeeping violations, even if the Court were narrowly to look only at defendants' failures to maintain required records for removal of SRMs connected to the two amenable beef livestock slaughtered at Miller's without federal inspection on May 18, 2021, and even if the Court were to consider only the missing beef carcass and not the detained beef heads, the penalty amount under Injunction Order Paragraph 17 for a first violation would be the weight of the missing carcass (600 pounds) times \$500, or a total of \$300,000. (Again, this amount would be doubled if the Court were to view this, as it could, as a second such occasion.)

99. In order to effect defendants' future compliance, by making them aware of the seriousness of their violations and the consequences for future violations, defendants are **ORDERED TO PAY** to the United States, within 30 days of the date of entry of this Order—and pursuant to written instructions that the United States will provide to defendants—a fine of \$250,000, or face further monetary and other penalties, possibly including imprisonment of Amos Miller.

Reimbursement of FSIS's May and June 2021 Enforcement Costs

100. Although under the Injunction Order and the Consent Decree the government could seek reimbursement of the United States Attorney's Office's recent enforcement costs and USDA's Office of the General Counsel's recent enforcement costs in connection with this civil contempt proceeding, the United States is seeking only FSIS's May and June 2021 enforcement costs, which as found above total \$14,436.26.

101. In order to effect defendants' future compliance, defendants are **ORDERED TO PAY** to the United States, within 60 days—and pursuant to written instructions that the United States will provide to defendants—the sum of \$14,436.26 to reimburse FSIS's enforcement

costs, or face further monetary and other penalties, possibly including imprisonment of Amos Miller. (This required payment is in addition to the \$250,000 fine amount ordered above.)

Required Completion of Independent Inventory Within 60 Days

102. Within 20 calendar days of the entry date of this Order, defendants must submit to FSIS, for review and concurrence, the name and credentials of a *qualified, independent third party* whom defendants intend to retain to conduct a detailed, written inventory of all meat and poultry (defined as all carcasses, parts, and products, whether or not packaged) that are located at Miller's facilities. As used in this Order, "qualified, independent third party" means a person or entity that: (a) has experience, expertise, and familiarity in or with conducting such an inventory, as demonstrated through education, work experience, training, or industry certification; (b) is not a current or former owner, manager, or employee of Miller's Organic Farm; and (c) is not related (through familial ties or financial connection) in any way to Amos Miller's family or Amos Miller's business or business agents.

103. Within 40 days of the entry date of this Order, defendants must contract with such an FSIS-approved, qualified, independent third party to conduct such an inventory, and Miller's shall require that, within 60 days of the date of this Order, such an inventory be completed and submitted to FSIS for review.

104. At a minimum, that inventory must: (a) account for each article by both species and product type (*e.g.*, "beef broth," "chicken livers," "pork and beef hot dogs," "chicken pie," "lamb roast," beef jerky," "hog carcass," etc.); (b) specify each article's weight; (c) for any article stored in a box or other container, specify the total number of boxes/containers containing the type of article (*e.g.*, 4 totes, 3 ½ boxes, ¼ barrel, 14 packages, etc.); and (d) specify if any

such article has been or will be set aside for personal use by Amos Miller or his family and, if it is to be so set aside, also specify the amount and weight being set aside.

105. Should defendants fail to submit to FSIS within 20 days of the date of this Order the name and credentials of such a qualified, independent third party, or should defendants fail to contract with an FSIS-approved, qualified, independent third party within 40 days of the date of this Order, or should defendants fail to submit such a completed inventory to FSIS within 60 days of the date of this Order, defendants shall pay a per-day fine of \$1,500 until they are in compliance with these requirements.

106. All articles at Miller's that are set aside for Amos Miller's or his family's personal use must be so identified (*i.e.*, marked with a corresponding family member's name and "not for sale") and must be separated from all other inventory.

107. Immediately upon an FSIS-approved third party's completion of the written inventory, Miller's must: (a) clearly identify in some manner (*e.g.*, with signage, stickers, or other identifiers) all articles accounted for in the inventory, so that they can be distinguished from any articles that Miller's adds in the future; and (b) segregate the inventory by species and cut (*e.g.*, beef must be stored separately from pork, ground beef must be stored separately from whole muscle beef, non-amenable species/products must be stored separately from amenable species/products, etc.).

108. Defendants must cooperate with FSIS's efforts to verify the third party's written inventory. If required by FSIS, defendants must move and/or stage meat and poultry articles for ease of FSIS's access and viewing of them.

Liquidation of Existing Inventory

109. Miller's may, within 90 days of the entry date of this Order, liquidate its existing inventory of consumer-packed, non-seized, frozen amenable meat and poultry products. (These frozen articles are separate from the seized articles that are the subject of the Second Condemnation Action.)

110. Liquidation of the non-seized frozen inventory shall be by direct sales to individual Miller's private membership association members, for their personal consumption (not for further sale or distribution), not to exceed, per transaction, regulatory limits of 300 pounds of amenable beef products, 37.5 pounds of amenable calf products, 27.5 pounds of amenable sheep products, 100 pounds of amenable swine products, 25 pounds of amenable goat products, and 75 pounds of amenable poultry products.

111. Such shipments shall be delivered or shipped directly from Miller's to the individual purchaser and may not be resold or redelivered.

112. Miller's must create and/or maintain—and make immediately available to FSIS upon request—contemporaneous records documenting all such liquidation sale transactions and distributions, including, but not limited to: (a) bills of sale; (b) invoices; (c) receiving and shipping papers; and (d) FedEx, UPS, and other commercial carrier transaction records.

113. Once FSIS has verified that Miller's has liquidated all existing amenable, non-seized, frozen inventory, Miller's may then resume taking or sending its amenable animals for slaughtering or processing to Belmont Meats, LLC or any other federally inspected establishment, but only on condition that Miller's maintains related records and otherwise complies with the FMIA, the PPIA, FSIS regulations, the Injunction Order, and the Consent Decree.

114. If Miller's does not liquidate all existing amenable, non-seized, frozen inventory within 90 days of the entry date of this Order, so that the inventory is completely sold and distributed in accordance with this Order and is no longer on-site at Miller's or held at one of his business associates' sites, the inventory shall be promptly destroyed under FSIS oversight.

115. If defendants violate the preceding paragraphs relating to liquidation of their existing inventory, they shall be ordered to pay a daily fine of \$1,500 for each day that they are out of compliance with the liquidation requirements.

Cessation of Slaughtering Operations and Deliveries, or Face \$25,000 Per-day Fine

116. Defendants Amos Miller and Miller's Organic Farm are ORDERED not to slaughter any amenable animals in violation of the Injunction Order, the Consent Decree, or the Acts.

117. Defendants are further ORDERED not to conduct any exempt slaughter operations, including custom exempt operations, until such time as: (a) there is an Exempt Plan that FSIS has approved in accordance with Paragraph 10 of the Injunction Order; and (b) existing inventory is liquidated or destroyed in accordance with the preceding paragraphs.

118. Defendants are further ORDERED not to take, send, or have sent or delivered for slaughter any amenable animals to Belmont Meats, LLC or any other federally inspected or non-federally-inspected establishment, unless and until FSIS verifies that Miller's has first liquidated all of its existing amenable meat and poultry inventory, or obtained prior approval from FSIS.

119. If defendants violate any of the three preceding paragraphs regarding slaughter and custom slaughter, they shall be ordered to pay immediately thereafter a fine of \$25,000: (a) for each day that such slaughtering occurs at Miller's; and (b) for each delivery of amenable

animals to an establishment for slaughter. Defendants may face additional penalties for such violations, possibly including imprisonment of Amos Miller.

Requirement to Cease and Desist Retail Operations Pending Compliance

120. In accordance with the terms of the Injunction Order and Consent Decree, Miller's must cease and desist all amenable meat-and-poultry-related retail-exempt operations conducted under 9 C.F.R. §§ 303.1(d) and 381.10(d)—except as provided above regarding liquidation of existing inventory—unless and until Miller's can demonstrate compliance with federal and Commonwealth of Pennsylvania law, including laws specifying recordkeeping requirements for retail operations, and also including Commonwealth of Pennsylvania licensing requirements.

121. For *each day* that Miller's conducts such retail operations in violation of law, and without a Commonwealth of Pennsylvania license, defendants shall be ordered to pay a fine of \$1,500.

Miller's Public Statement

122. By no later than fourteen days after the entry date of this Order, Miller's or Miller's agent(s) must post on the main page of Miller's and Miller's associates' websites on which Miller's amenable meat and poultry products are advertised (www.millersorganicfarm.com and <https://amosmillerorganicfarm.com>), and on Miller's Facebook page, a written statement, which FSIS must pre-approve, explaining to Miller's members and customers that: (a) the Court has ruled that Miller's has violated the Court's Injunction Order and Consent Decree; and (b) "fresh" or "not-frozen" (*i.e.*, newly slaughtered) amenable meat, meat food products, poultry, and poultry products will not be available for sale or purchase unless and until Miller's Organic Farm

liquidates its existing amenable, non-seized, frozen meat and poultry inventory and complies with other requirements of this Order and the Court's other orders.

123. For *each day* after fourteen days following the entry date of this Order—and until FSIS verifies that Miller's has liquidated its existing inventory of amenable products—that such a statement does not appear on Miller's websites, its associates' websites, and Miller's Facebook page, defendants shall be ordered to pay a fine of \$1,500.

* * *

124. This Order does not affect the pendency of the Second Condemnation Action and does not include provisions regarding the disposition of the seized articles that FSIS detained on May 25, 2021 and that the U.S. Marshals Service arrested on June 24, 2021.

125. Defendants Amos Miller and Miller's Organic Farm are ORDERED to comply with the November 2019 Injunction Order and April 2020 Consent Decree, which remain in effect, and to cooperate fully and completely with FSIS's investigations, inquiries, review, and compliance examinations.

BY THE COURT:

Date: 7/22/2021

/s/ Edward G. Smith
EDWARD G. SMITH, J.

EXHIBIT 8

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA,	:	
	:	
Plaintiff,	:	CIVIL ACTION NO. 19-1435
	:	
v.	:	
	:	
MILLER'S ORGANIC FARM and AMOS	:	
MILLER,	:	
	:	
Defendants.	:	

ORDER

AND NOW, this 19th day of November, 2019, after considering the United States' motion for summary judgment, statement of undisputed material facts, and supporting memorandum of law (Doc. No. 35), the defendants' memorandum of law filed in opposition to the motion and its response to the government's statement of undisputed material facts (Doc. No. 36), the government's reply brief (Doc. No. 37), and the entire record in this case; and, after a telephone conference with the parties on November 12, 2019, the court hereby **FINDS** that:

1. The United States of America, on behalf of the Food Safety and Inspection Service ("FSIS") of the U.S. Department of Agriculture ("USDA"), filed a complaint for permanent injunction in this action on April 4, 2019 (Doc. No. 1);

2. The United States requested permanent injunctive relief to enjoin the defendants, Amos Miller and Miller's Organic Farm, from committing violations of the Federal Meat Inspection Act, 21 U.S.C. § 601, et seq. ("FMIA"), and the Poultry Products Inspection Act, 21 U.S.C. § 451, et seq. ("PPIA") (collectively, "the Acts");

3. Amos Miller and his wife own and operate Miller's Organic Farm ("Miller's"), which is an unincorporated business located at 648 Millcreek Road, Bird-in-Hand, Pennsylvania;

4. At its farm site, Miller's slaughters livestock or poultry, and then prepares, processes, stores, and/or distributes meat, meat food products, and poultry products;

5. Miller's sells its meat, meat food products, and poultry products that are subject to the Acts (known as "amenable products") for commercial purposes and for human consumption to consumers in Pennsylvania and throughout the United States;

6. Federal inspection is required at an establishment that slaughters livestock or poultry, and then prepares or processes amenable meat, meat food products, or poultry products that are capable of use as human food for interstate or foreign commerce, unless the establishment qualifies for an exemption from federal inspection (*see* 9 C.F.R. §§ 302.1, 381.6);

7. To date, Miller's has been operating its meat and poultry business without a USDA-FSIS Federal Grant of Inspection and (with rare exception) without taking its livestock and poultry for slaughter and processing to any federally inspected facility;

8. The defendants have not yet changed Miller's business model to attempt to qualify for an exemption from federal inspection under the Acts for any part of their operations (*see* 21 U.S.C. §§ 454, 464, 623, and 661; 9 C.F.R. §§ 303.1, 381.10); and

9. For meat, meat food products, and poultry products that it has sold to consumers to date, Miller's has included only the following labeling language, apart from the product name, "packed on" date, weight, and price: (a) "Miller's Organic Farm/Private Membership Association"; (b) "NOT FOR PUBLIC SALE"; and/or (c) "NOT FOR PUBLIC SALE/Private Membership Association.

Accordingly, it is hereby **ORDERED** as follows:

1. The motion for summary judgment filed by the plaintiff, United States of America (Doc. No. 35), is **GRANTED** under Federal Rule of Civil Procedure 56(a);

2. The court has jurisdiction over the subject matter in the complaint and personal jurisdiction over all the parties;

3. The complaint for permanent injunction states a cause of action against the defendants, Miller's Organic Farm and Amos Miller, under both the FMIA and the PPIA;

4. The defendants, Amos Miller and Miller's Organic Farm, have been engaging in conduct, as set forth in the complaint, and, as the court finds above, that violates both the FMIA and the PPIA. Specifically, they have continued to violate:

a. 21 U.S.C. §§ 458(a)(1), 458(a)(2)(B), 610(a), and 610(c)(2), through slaughtering, preparing, processing, offering for sale, selling, offering for transport, and/or transporting, in commerce, meat, meat food products, and poultry products that the Acts require be federally inspected but that have not been federally inspected;

b. 21 U.S.C. §§ 458(a)(2)(A) and 610(c)(1), through selling, transporting, offering for sale or transportation, or receiving for transportation, in commerce, meat, meat food products, and poultry products that are capable of use as human food but that are misbranded at the time of such sale, transportation, offer for sale or transportation, or receipt for transportation, because, for example, the products, though intended for commercial sales, have not been federally inspected and lack accurate "federally inspected" label language that is required for commercially sold products; and

c. 21 U.S.C. §§ 460(b) and 642, through refusing to provide FSIS' authorized representatives with necessary access to Miller's meat-and-poultry-related facilities, inventory, and records;

5. The United States' and the public's interests in food safety (as expressed in congressional findings and the Acts) will be irreparably injured absent permanent injunctive relief, and the defendants' interests do not countervail those interests;

6. There is a cognizable danger that, based on the defendants' past and continuing conduct, they will, unless restrained by order of this court, continue to violate the Acts.

7. The defendants are **PERMANENTLY ENJOINED**:

a. from slaughtering livestock or poultry, and then preparing, processing, selling, transporting, and/or offering for sale or transport any meat, meat food products, or poultry products that are required to be USDA-inspected and USDA-passed unless they have been so inspected and passed;

b. affirmatively to keep such records as will fully and correctly disclose all of defendants' meat-and-poultry-related business transactions as may be necessary for USDA FSIS to enforce the Acts effectively and as required under 21 U.S.C. §§ 460(b) and 642 and 9 C.F.R. §§ 320.1 and 381.175;

c. from failing: (i) upon request of any authorized representative of the Secretary of Agriculture, and at all reasonable times, to afford to representatives of USDA FSIS full and immediate access to Miller's meat and/or poultry-related facilities, inventory, and records, including to allow such representatives to copy such records and to take reasonable samples of defendants' inventory upon payment of fair market value; (ii) to cooperate and not interfere with that access; and (iii) to refrain from harassing or intimidating FSIS representatives conducting reviews as required by 21 U.S.C. §§ 460(b), 461(c), 642, and 675; and

d. from failing to comply with all requirements in the FMIA, PPIA, and their implementing regulations that apply to slaughtering livestock or poultry, and/or then preparing, processing, selling, transporting, or distributing meat, meat food products, or poultry products. These implementing regulations include, but are not limited to, those imposing requirements for: (i) inspection; (ii) labeling; (iii) sanitation (including sanitation performance standards and standard operating procedures); (iv) Hazard Analysis and Critical Control Point (HACCP) systems; and (v) *Listeria monocytogenes* and/or other pathogen sampling, testing, and other program obligations, as provided under 9 C.F.R. § 302.1 and 9 C.F.R. Parts 310, 317, 381, 412, 416, 417, 418, and 430;

8. If Amos Miller or Miller's Organic Farm intends to slaughter, prepare, or process, for commerce, livestock or poultry products that require federal inspection: (a) Amos Miller will first contact FSIS' Philadelphia District Office (i) by phone at (215) 430-6231, (ii) by email to the FSIS OFO Philadelphia Grant Curator at Philadelphia.GrantCurator@fsis.usda.gov, or (iii) in person at the Lits Building, 701 Market Street, Suite 4100-A, Philadelphia, PA 19106, and apply for a Federal Grant of Inspection; (b) Amos Miller and Miller's Organic Farm will not slaughter livestock or poultry, and then prepare or process meat, meat food products, or poultry products, until FSIS issues a Federal Grant of Inspection; and (c) Amos Miller and Miller's Organic Farm will thereafter conduct such slaughtering, preparing, or processing activities under the conditions that FSIS and applicable law impose;

9. Amos Miller and Miller's Organic Farm need not apply for a USDA Federal Grant of Inspection only if, beginning today, they will be taking *all* of Miller's Organic Farm's amenable livestock and poultry that are intended for human consumption and not otherwise exempt (in full compliance with Paragraph 10 below) to a federally inspected facility or facilities for slaughter

and processing. Any further processing of such federally inspected products by Amos Miller or Miller's Organic Farm without federal inspection will be done as an exempt retail store in accordance with 9 C.F.R. §§ 303.1(d) or 381.10(d). As an exempt retail store (if it becomes one), Miller's Organic Farm will be:

- a. able to use only federally inspected source materials in the preparation of meat, meat food products, and poultry products (*see* 9 C.F.R. §§ 303.1(d), 381.10(d));
- b. able to make sales directly to consumers of meat, meat food products, and poultry products only in normal retail quantities (*see* 9 C.F.R. §§ 303.1(d) and 381.10(d));
- c. bound by the Acts' adulteration and misbranding provisions, which apply to articles that are exempted from federal inspection (*see* 21 U.S.C. §§ 453 and 601);
- d. required to maintain records (such as bills of sale to consumers, and of any raw ground beef production), as required by 9 C.F.R. §§ 320.1 and 381.175;
- e. subject to Commonwealth of Pennsylvania and local (*i.e.*, county or city) licensing requirements and applicable food codes; and
- f. subject to, for Miller's Organic Farm's retail exempt operations, periodic verification by FSIS, including verification that such operations are conducted in accordance with the regulatory requirements for the retail store exemptions found in 9 C.F.R. §§ 303.1(d) and 381.10(d).

10. For any of Miller's Organic Farm's amenable livestock and poultry that are intended for human consumption, that are not taken to a federally inspected facility for slaughter and processing, and that are not further processed and sold in accordance with the retail store exemption discussed in Paragraph 9, above, Amos Miller and Miller's Organic Farm need not apply for a USDA Federal Grant of Inspection only if they cease their current business model and

conduct any slaughter of such livestock or poultry, and any processing or preparation of such amenable livestock and poultry, in accordance with this Order and under: (a) the Acts' "custom exemption" provisions, as specified in 21 U.S.C. § 623(a) (FMIA), 21 U.S.C. § 464(c)(1)(B) (PPIA), and implementing regulations at 9 C.F.R. §§ 303.1(a)(2)(b)(1-4), 381.10(a)(4), and 416; or (b) the PPIA's other exemption provisions for poultry operations, as specified in implementing regulations at 9 C.F.R. §§ 381.10(a)(5), (a)(6), and (a)(7).

No such slaughter, processing, or preparation of amenable livestock and poultry under an exemption stated in this Paragraph 10 shall begin unless and until Amos Miller and Miller's Organic Farm first develop and submit to the Director of FSIS' Enforcement and Litigation Division ("ELD"), Office of Investigation, Enforcement, and Audit, a detailed, written description of their proposed plan for exempt operations ("Exempt Plan"). After Amos Miller and Miller's Organic Farm submit an Exempt Plan to the ELD Director, no slaughter, processing, or preparation shall begin unless and until Amos Miller and Miller's Organic Farm obtain: (a) the ELD Director's approval of the Exempt Plan; or (b) on administrative appeal from any Exempt Plan non-approval by the ELD Director, a final USDA FSIS agency decision approving the plan; or (c) upon judicial review under the Administrative Procedure Act of any final agency decision disapproving the Exempt Plan, a judicial order approving the planned exempt operations.

FSIS' ELD Director shall issue a decision by no later than 90 days from the date that Amos Miller and Miller's Organic Farm submit to the ELD Director a proposed Exempt Plan. If the ELD Director does not approve the proposed plan, and if Amos Miller and Miller's Organic Farm administratively appeal that non-approval, USDA FSIS shall have no longer than 60 days from receipt of the appeal to decide that initial appeal. If that appeal also results in a non-approval, and if Amos Miller and Miller's Organic Farm further administratively appeal, USDA/FSIS shall have

no longer than 60 days from receipt of that second-level appeal to issue a final agency decision on the Exempt Plan.

If Amos Miller and Miller's Organic Farm obtain approval of an Exempt Plan, this Court, as provided in Paragraph 32 below, will retain jurisdiction to review defendants' compliance with the Acts.

Any Exempt Plan seeking approval of a custom exemption must demonstrate, and the defendants must ensure, that Miller's custom-exempt slaughter and processing operations will comply with the Acts' and their implementing regulations' custom-exempt provisions, including but not limited to requirements that:

- a. For livestock or poultry that an owner delivers to Miller's Organic Farm or Amos Miller for slaughter and preparation by Miller's Organic Farm, and for the transportation of the carcasses, parts thereof, meat and meat food products of such livestock, or poultry products, Amos Miller and Miller's Organic Farm must ensure that all slaughter and processing is for the exclusive use of the animal owner(s), the household of the owner, the household's members, the owner's non-paying guests, and/or owner's employees (see 9 C.F.R. §§ 303.1(a)(2), 381.10(a)(4));
- b. All sales transactions of such livestock or poultry must be completed while the animal is alive and before slaughter for any new owner;
- c. Amos Miller and Miller's Organic Farm must maintain their livestock custom-exempt establishment under sanitary conditions in accordance with 9 CFR §§ 416.1-416.6, except for 416.2(g)(2)-(6);
- d. Amos Miller and Miller's Organic Farm must prepare poultry products under such sanitary standards, practices and procedures as will result in the preparation of

products that are sound, clean, and fit for human food, in accordance with 9 CFR § 381.10(a)(4);

e. For all custom-slaughtered and custom-processed livestock carcasses, and for all further-processed meat products, Amos Miller and Miller's Organic Farm must properly mark, label, and package the carcasses and products as "Not for Sale" and continue to so identify them until delivery to the owner(s), in accordance with 9 C.F.R. § 303.1(a)(2)(iii);

f. Amos Miller and Miller's Organic Farm must not engage in the business of buying or selling any poultry products capable of use as human food;

g. For all custom-slaughtered and custom-processed poultry carcasses, and for all further-processed poultry products, Amos Miller and Miller's Organic Farm must properly mark, label, and package shipping containers so that they state: (i) each poultry owner's name; (ii) each poultry owner's address; and (iii) "Exempted – P.L. 90-492";

h. Amos Miller and Miller's Organic Farm must maintain records that: (i) fully disclose any pre-custom-slaughter or pre-custom-processing transfer of ownership of livestock or poultry (see 9 C.F.R. 320.1(a) and 381.175); (ii) show the numbers and kinds of livestock that Miller's custom-slaughters; (iii) show the quantities and types of products that Miller's custom-prepares; (iv) show the names and addresses of owners of custom-prepared products from livestock; and (v) are necessary, with regard to poultry products, to the effective enforcement of the PPIA (see 9 C. F.R. §§ 303.1 (b)(3) and 381.175-178);

i. Amos Miller and Miller's Organic Farm must not allow custom-slaughtered or custom-processed products to become adulterated or misbranded during processing, handling, storage, loading, unloading, or transportation (see 21 U.S.C. §§ 601, 453);

j. Amos Miller and Miller's Organic Farm must comply with Commonwealth of Pennsylvania and local (*i.e.*, county or city) licensing requirements and applicable food codes; and

k. Amos Miller and Miller's Organic Farm must submit to periodic FSIS verification reviews, which will include on-site review of whether Miller's operations are being conducted in accordance with the statutory and regulatory requirements for the custom exemptions found in 21 U.S.C. §§ 623, 464 and 9 C.F.R. §§ 303.1, 381.10, and 416;

11. Consistent with Paragraph 7.b above, Amos Miller and Miller's Organic Farm must maintain records of the sale and distribution of meat, meat food products, and poultry products intended for human consumption, including but not limited to records showing: (a) the names and addresses of persons and entities to whom products are sold or distributed; (b) the dates of sale or distribution; (c) the product types; and (d) the amounts or quantities. Defendants shall also maintain at least one copy of the following documentation with respect to their meat, meat food products, and poultry products: (a) all label(s) affixed to the products; (b) all labeling affixed to shipping containers; and (c) all labeling, brochures, website pages, and other materials used to promote, describe, or refer to the products. *See* 21 U.S.C. §§ 454, 661; 9 C.F.R. §§ 303.1(d), 320.1, 381.10(d), 381.175;

12. Consistent with Paragraph 7.c above, and as necessary to conduct their regulatory responsibilities, USDA FSIS representatives shall have full and unimpeded access: (a) to examine Miller's Organic Farm's facilities, inventory, and records (including records described in Paragraphs 7.b, 9.d, 10, and 11, above); and (b) to copy records and take reasonable samples of inventory. "All reasonable times," as used in Paragraph 7.c, above, shall include any hours when

Miller's does business, including hours before dawn where applicable. USDA FSIS representatives shall present credentials to the most-responsible person on the premises. *See* 21 U.S.C. §§ 460, 642;

13. In addition to the right of entry provided to USDA FSIS representatives in Paragraph 7.c, above, authorized representatives of USDA FSIS may—in accordance with applicable laws and regulations—detain, and seek judicial seizure of, any non-federally-inspected, adulterated, misbranded, or not-exempt-from-inspection meat, meat food product, or poultry product observed at Miller's Organic Farm that is in violation of 21 U.S.C. §§ 458, 461, 467c, 610, 674, or 676. *See* 21 U.S.C. §§ 467a, 672;

14. This Order does not preclude defendants from promptly liquidating (solely to existing members of Miller's Organic Farm's buyer's club) any of Miller's Organic Farm's existing inventory that consists of meat food products and poultry products that were slaughtered, processed, and packaged before the entry of this Order. By no later than 60 days after entry of this Order, however, the defendants shall destroy any non-federally-inspected meat food product inventory and poultry product inventory that will not be kept solely for the defendants' personal use. Such personal use amounts shall not exceed: (a) 300 pounds for cattle and 100 pounds for swine (*see* 9 C.F.R. § 303.1); and (b) 75 pounds for poultry (*see* 9 C.F.R. § 381.10). Consistent with other provisions of this Order recognizing FSIS' access and examination rights, FSIS may inspect Miller's Organic Farm's meat and poultry facilities at any time after entry of this Order as necessary: (a) to determine the extent of such inventory and of defendants' compliance with this Paragraph 14 and other provisions of this Order; and (b) to detain, seize, and/or otherwise ensure appropriate disposition or destruction of such inventory;

15. The parties have stated to the court their intention to cooperate with each other in fulfilling the requirements of this Order and of the law. If at any time the parties jointly agree that this Order should be modified to conform to changed circumstances or better to effect compliance, the parties may jointly submit a revised proposed Order to the court. Further, if at any time a party believes that another party is not complying with this Order, the complaining party, before formally seeking to enforce this Order by motion or petition, must: (1) first send a letter to the judge assigned to this civil action (by direct mail or email) that is no longer than 2 single-spaced pages and that outlines the dispute and requests a conference call with the court; and (2) refrain from filing an enforcement motion or petition until after the court either holds such a conference call or directs or allows the party to file its motion or petition;

16. Except as provided in Paragraph 14, above (regarding sales of current inventory over the next 60 days), if the defendants sell, transport, or offer for sale or transport any non-federally-inspected meat, meat food product, or poultry product in violation of this Order, at any time after the entry of the Order by the court, the defendants shall, upon the first occasion of such violation, pay to the United States the sum of five hundred dollars for each pound, or portion thereof, of non-federally-inspected, misbranded meat, meat food product, or poultry product. For any subsequent violations, the defendants shall pay to the United States the sum of one thousand dollars for each pound, or portion thereof, of non-federally-inspected, misbranded meat, meat food product, or poultry product;

17. If the defendants, in violation of this Order, fail to keep such records as will fully and correctly disclose the purchase, receipt, offer for sale, sale, transport, and/or any other transaction regarding non-federally-inspected, adulterated, or misbranded meat, meat food product, or poultry product involved in their business, the defendants shall upon the first occasion

of such violation pay to the United States of America the sum of five hundred dollars for each pound, or portion thereof, of adulterated or misbranded meat, meat food product, or poultry product for which no record or an inadequate record was maintained. For any subsequent violations, the defendants shall pay to the United States the sum of one thousand dollars for each pound, or portion thereof, of non-federally-inspected meat, meat food product, or poultry product for which no record or an inadequate record was maintained;

18. If the defendants, in violation of this Order, fail to provide USDA FSIS with access to their meat or poultry facilities, inventory, or records that USDA FSIS requires to assess compliance, the defendants shall, upon the first occasion of such violation, pay to the United States of America the sum of two thousand, five hundred dollars for such violation. For each subsequent violation, the defendants shall pay to the United States the sum of five thousand dollars;

19. The amounts set forth in Paragraphs 16, 17, and 18 shall be separate and apart from any other remedy that the United States may pursue for violations of this Order. Should enforcement proceedings beyond this Order be necessary, the defendants agree that the United States shall be entitled to recover from the defendants all court costs and expenses incurred by FSIS in such proceedings, including investigation and preparation time and attorneys' fees for the USDA and the United States Attorney's Office for the Eastern District of Pennsylvania;

20. If the defendants disagree with a determination made by the USDA under Paragraphs 16, 17, or 18 of this Order, they may petition the court for an independent review of USDA's determination(s). Any such petition must be filed within 30 days of the USDA determination(s) for which review is sought. In reviewing USDA's determination(s), the court will apply the same standard of review applicable to review of final agency action under the Administrative Procedure Act, 5 U.S.C. § 701, et seq. In the absence of a timely petition for review,

USDA's determination(s) will become final and unreviewable. If the court denies the defendants' request, or otherwise affirms the USDA's determination(s) made under Paragraphs 16, 17 or 18 of this Order, the defendants will pay the costs and expenses incurred by the United States of America in any such court proceeding, within 30 days of service of a demand by the United States of America. Such expenses shall include, but not be limited to, expenses incurred by the FSIS in such proceeding, including investigation and preparation time, at the rate of \$45.00 per hour per USDA employee. The defendants shall further be liable for such relief as the court deems appropriate in a proceeding brought either sua sponte or by the United States, for any failure to comply with any terms of this Order;

21. This Order does not limit any rights or remedies available to the United States of America for any violation of the FMIA and/or the PPIA and their respective regulations, or any rights or remedies available to the United States of America for any criminal violations;

22. The parties agree that nothing in this Order shall preclude any future regulatory or administrative action authorized by law, regulation or otherwise, including, but not limited to the referral of any matter to any agency for possible criminal, civil, or administrative proceedings;

23. In the event of a subsequent violation of this Order by any defendant, this Order shall not be deemed a waiver of the right of the United States of America to seek relief for the violations alleged in the complaint;

24. After the defendants have maintained substantial compliance with all requirements of this Order, as well as with applicable provisions of the FMIA and the PPIA, for a period of five (5) years following the entry of the Order, the defendants may serve upon the United States of America a request for termination of the Order ("Request for Termination"), explaining how they satisfactorily complied with all such requirements, together with all necessary supporting

documents. The parties shall thereafter confer informally concerning the Request for Termination and any disagreement that the parties may have as to whether the defendants have satisfactorily complied with the requirements for termination of the Order. If the United States agrees that the Order may be terminated, the parties shall submit, for the court's approval, a joint stipulation terminating the Order. If the United States does not agree that the Order may be terminated, the defendants may file a motion with this court seeking relief from judgment pursuant to Rule 60(b) of the Federal Rules of Civil Procedure, provided, however, that the defendants will not file any such motion until sixty (60) days after service of the Request for Termination on the United States of America. The defendants must bear the burden of demonstrating to the court that they have satisfactorily complied with all requirements of the Order and applicable provisions of the FMIA and PPIA, and that there is good cause to terminate the Order under Rule 60(b);

25. In accordance with Federal Rule of Civil Procedure 65(d)(2), this Order binds the parties and Amos Miller's and Miller's Organic Farm's officers, agents, servants, and employees, as well as other persons who are in active concert or participation with them. Defendants must post this Order at Miller's Organic Farm and distribute it to all of Miller's employees, to food cooperatives with which Miller's does business, and to FarmMatch (which sells Miller's products);

26. If, at any time while this Order remains in operation, Amos Miller transfers or assigns his interests in Miller's Organic Farm to another person or entity, Miller's Organic Farm's successor or assignee must comply with the obligations imposed by this Order;

27. The obligations imposed by this Order run separately as to Miller's Organic Farm and Mr. Miller. If Miller's Organic Farm and Mr. Miller cease to be affiliated with one another at any time while this Order remains in operation, each must separately request termination of the Order from the other if it wishes to be relieved from the obligations imposed by the Order;

28. The defendants shall be jointly and severally liable for any violations of the terms of the Order committed while Miller's Organic Farm and Amos Miller are affiliated with one another. Miller's Organic Farm and Amos Miller shall be severally liable for any violations of the terms of the Order committed during any period in which the defendants are not affiliated;

29. Each party shall bear its own costs and attorney's fees for this proceeding to date;

30. For the purposes of this Order, service upon the USDA and the United States of America must be accomplished by either hand delivery or by overnight delivery and shall be made to the following three addresses: (a) for the USDA: (i) Administrator, Food Safety and Inspection Service, U.S. Department of Agriculture, 1400 Independence Avenue SW, Whitten Building, Room 331-E, Washington, DC 20250; and (ii) Office of the General Counsel, U.S. Department of Agriculture, Room 107W, Whitten Building, 1400 Independence Avenue SW, Washington, D.C. 20250; and (b) for the United States of America: Attn: Gerald B. Sullivan, Assistant United States Attorney, Office of the U.S. Attorney, 615 Chestnut Street, Suite 1250, Philadelphia, PA 19106-4476;

31. If the defendants are required to make any payment pursuant to this Order, the defendants will make such payment pursuant to written instructions that the United States of America will provide;

32. The court retains jurisdiction to issue further decrees and orders as may be necessary to construe, carry out, modify, or enforce compliance with this Order. Should the defendants fail to abide by and perform all the terms and conditions set forth herein or in such further orders as may be entered in this action, the United States of America shall apply only to this court for relief, and any alleged violation of this Order shall be adjudicated by the court; and

33. The clerk of the court is **DIRECTED** to mark this action as **CLOSED**.

BY THE COURT:

/s/ Edward G. Smith
EDWARD G. SMITH, J.

EXHIBIT 9

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA,	:	
	:	
Plaintiff,	:	CIVIL ACTION
	:	NO. 19-cv-1435
v.	:	
	:	
MILLER’S ORGANIC FARM and	:	
AMOS MILLER,	:	
	:	
Defendants.	:	

CONSENT DECREE

WHEREAS, in June 2016 this Court enforced a subpoena of the U.S. Department of Agriculture’s Food Safety and Inspection Service (“FSIS”) and ordered defendants Amos Miller and Miller’s Organic Farm (“Miller’s) to cease denying FSIS inspection access to Miller’s meat-and-poultry-related facilities and records;

WHEREAS, in two 2017 letters, FSIS warned these defendants that they were violating federal inspection, labeling, and FSIS right-of-access requirements in the Federal Meat Inspection Act, 21 U.S.C. § 601, et seq. (“FMIA”), and the Poultry Products Inspection Act, 21 U.S.C. § 451, et seq. (“PPIA”) (collectively, “the Acts”);

WHEREAS, in April 2019, the United States, on behalf of FSIS, filed a Complaint against these defendants in this action seeking permanent injunctive relief under the Acts (Dkt. Entry No. 1);

WHEREAS, on November 19, 2019, the Court granted summary judgment in favor of the United States and entered the requested permanent injunctive relief, enjoining defendants from committing continuing violations of the Acts (Dkt. Entry No. 44) (“Injunction Order”);

WHEREAS, in the Injunction Order, the Court found that, at least as of November 19, 2019: (1) Amos Miller and his wife owned and operated Miller's, an unincorporated business located at 648 Millcreek Road, Bird-in-Hand, Pennsylvania; (2) at its farm site, Miller's slaughtered livestock or poultry, and then prepared, processed, stored, and/or distributed meat, meat food products, and poultry products; (3) Miller's sold its meat, meat food products, and poultry products that are subject to the Acts (known as "amenable products") for commercial purposes and for human consumption to consumers in Pennsylvania and throughout the United States; (4) federal inspection is required at an establishment that slaughters livestock or poultry, and then prepares or processes amenable meat, meat food products, or poultry products that are capable of use as human food for interstate or foreign commerce, unless the establishment qualifies for an exemption from federal inspection; (5) Miller's had been operating its meat and poultry business without a USDA-FSIS Federal Grant of Inspection and (with rare exception) without taking its livestock and poultry for slaughter and processing to any federally inspected facility; (6) defendants had not yet changed Miller's business model to attempt to qualify for an exemption from federal inspection under the Acts for any part of their operations; and (7) for meat, meat food products, and poultry products that it had sold to consumers until that date, Miller's had included only the following labeling language, apart from the product name, "packed on" date, weight, and price: (a) "Miller's Organic Farm/Private Membership Association"; (b) "NOT FOR PUBLIC SALE"; and/or (c) "NOT FOR PUBLIC SALE/Private Membership Association" (*see* Injunction Order, at pp. 1-2 ¶¶ 3-9);

WHEREAS, defendants sell their farm products only to members of their nationwide buyers' club, which they have organized as a "Private Membership Association";

WHEREAS, in the Injunction Order, the Court ruled that, by conducting their meat and poultry business without federal inspection, and by refusing to provide FSIS' authorized representatives with necessary access to Miller's meat-and-poultry-related facilities, inventory, and records, defendants had been violating the Acts': (1) federal inspection requirements; (2) prohibitions against offering for sale, selling, and distributing non-federally-inspected and misbranded meat, meat food products, and poultry products; and (3) access and inspection provisions (Injunction Order, p. 3 ¶ 4);

WHEREAS, the Court permanently enjoined defendants, among other things: (1) from slaughtering livestock or poultry, and then preparing, processing, selling, transporting, and/or offering for sale or transport any meat, meat food products, or poultry products that are required to be USDA-inspected and USDA-passed unless they have been so inspected and passed; (2) affirmatively to keep such records as will disclose defendants' meat-and-poultry-related business transactions that may be necessary for USDA FSIS to enforce the Acts effectively; and (3) from failing, upon the request of any authorized representative of the Secretary of Agriculture, and at all reasonable times, to afford to representatives of USDA FSIS full and immediate access to Miller's meat and/or poultry-related facilities, inventory, and records (Injunction Order, p. 4 ¶ 7);

WHEREAS, the Court further ordered, at Paragraphs 9 and 10 of the Injunction Order, that defendants must: (1) not sell non-federally-inspected meat food or poultry products; and (2) not conduct any slaughter, processing, or preparation under a "custom" exemption without first obtaining USDA FSIS or judicial approval of an "Exempt Plan" for such custom operations;

WHEREAS, the Court further ordered, at Paragraph 13, that USDA FSIS may (in accordance with law) detain and seek judicial seizure of any non-federally-inspected, adulterated, misbranded, or not-exempt-from-inspection meat, meat food product, or poultry product observed at Miller's that is in violation of the Acts;

WHEREAS, the Injunction Order further provided, at Paragraph 14:

This Order does not preclude [Amos Miller and Miller's] from promptly liquidating (solely to existing members of Miller's Organic Farm's buyer's club) any of Miller's Organic Farm's existing inventory that consists of meat food products and poultry products that were slaughtered, processed, and packaged before the [November 19, 2019] entry of this Order. By no later than 60 days after entry of this Order [that is, by January 19, 2020], however, defendants shall destroy any non-federally-inspected meat food product inventory and poultry product inventory that will not be kept solely for defendants' personal use. Such personal use amounts shall not exceed: (a) 300 pounds for cattle and 100 pounds for swine (see 9 C.F.R. § 303.1); and (b) 75 pounds for poultry (see 9 C.F.R. § 381.10);

WHEREAS, Injunction Order Paragraph 18 provided that defendants would pay the United States \$2,500 for a first violation of the Order's requirement that defendants provide USDA FSIS with access to their meat and poultry facilities, inventory, and records;

WHEREAS, the Court ordered, at Paragraph 25, that the Injunction Order binds not only the parties but also "agents, servants, and employees, as well as persons . . . in active concert or participation with them";

WHEREAS, FSIS investigators visited Miller's in December 2019 and January 2020 and found the following (and other) material violations of the Injunction Order: (1) twice, Amos Miller hindered and denied FSIS access to his facilities and records; (2) in December, Miller's slaughtered and processed "amenable" animals without federal inspection (Miller's disposed of

the resulting parts after FSIS “detained” them—that is, after FSIS had applied a “U.S. Detained” tag to them); (3) in January, Miller’s slaughtered additional beef animals without federal inspection (resulting in approximately 2,100 pounds of beef carcasses), and custom-slaughtered a hog without a required custom-exempt plan (FSIS detained the resulting beef and hog carcasses, but later released the hog carcass for the owner’s personal use); and (4) after the Injunction Order Paragraph 14 sixty-day liquidation period ended, approximately 34,062 pounds of non-liquidated, pre-existing product inventory remained at Miller’s, which FSIS detained on January 24, 2020;

WHEREAS, more specifically, on January 22, 2020, when FSIS investigators went to Miller’s to determine whether defendants were complying with the Injunction Order, the investigators observed approximately 2,100 pounds of refrigerated, freshly-cut-up beef carcasses that were initially unlabeled, were capable of use as human food, were slaughtered or prepared without required USDA FSIS federal inspection, and which, the investigators believed, were being offered or intended for sale, so the investigators detained the articles and affixed U.S. Detained tags to them;

WHEREAS, on January 22, 2020, when FSIS investigators also observed the approximately 34,062 pounds of pre-November 19, 2019 meat food and poultry product inventory that similarly was capable of use as human food and had not been slaughtered or prepared under federal inspection, Amos Miller represented to the investigators that Miller’s had offered or sold the entire inventory to Florida-based Pastured Farm Food Club (and/or to its owner or manager, Anke Meyn), which is one of the nationwide food Co-ops that places orders

for Miller's meat food and poultry products on behalf of individuals who are members of the Co-op;

WHEREAS, Ms. Meyn is an agent of Miller's, has business ties to Miller's, and has operated the Amos Miller Organic Farm website at <http://www.amosmillerorganicfarm.com/>;

WHEREAS, on January 22, 2020, to support his representation that he had sold the entire 34,062-pound product inventory to Pastured Farm Food Club via Ms. Meyn, Amos Miller provided to FSIS investigators only a handwritten invoice listing the meat food and poultry products and a purchase price;

WHEREAS, On February 10, 2020, the United States filed *United States of America v. 2,100 Pounds, More or Less, of Meat Carcasses, Parts of Carcasses, and Meat Food Products, and 34,062 Pounds, More or Less, of Meat Food Products and Poultry Products*, an in rem civil action docketed at EDPA No. 20-757 (the "Condemnation Action");

WHEREAS, in the Condemnation Action, on February 20, 2020, the U.S. Marshals Service arrested/seized the defendant articles (the approximately 34,062 pounds of pre-existing product inventory and approximately 2,100 pounds of meat carcasses and parts that FSIS investigators observed and detained at Miller's in January 2020), but left the articles in place (frozen and stored) at Miller's pending a condemnation hearing;

WHEREAS, in the Condemnation Action, the United States alleges that the defendant meat and poultry articles are subject to the Acts, are capable of use as human food, were slaughtered, processed, and/or prepared in violation of the Acts because without federal inspection, and are therefore prohibited from sale, offer for sale or transportation, or receipt for transportation in commerce;

WHEREAS, in the Condemnation Action, the United States further alleges, in part, that Amos Miller and Miller's did not liquidate Miller's pre-Injunction-Order meat food and poultry product inventory within 60 days after November 19, 2019, and therefore violated Paragraph 14 of the Injunction Order, by failing, by January 19, 2020, to: (a) destroy the products; (b) liquidate them "solely to existing members" of Miller's Organic Farm's buyers' club; or (c) retain only limited, specified quantities for Amos Miller's family's personal use;

WHEREAS, in the Condemnation Action, the United States has sought condemnation of all of the defendant articles;

WHEREAS, Anke Meyn has sent the United States a Statement of Interest in the Condemnation Action;

WHEREAS, in her Statement, Ms. Meyn represents, in part, that she is a member of Miller's "buying club" and that, in her view: (1) "Nothing in Paragraph 14 or elsewhere in the [Injunction] Order limited the quantity of product that could be purchased by an existing [Miller's] member" or "required that the purchased food had to be immediately removed from the Miller premises"; (2) "Prior to the 60-day deadline specified in the [Injunction] Order," she "made a lawful, arms-length purchase of the inventory that remained unsold"; (3) "Because not all of the provisions of the Order are consistent with applicable USDA laws and regulations (such as Paragraph 14), I did not believe that such laws and regulations were incorporated into the Order"; and (4) "I am the owner of most of the food sought to be detained and destroyed pursuant to this action";

WHEREAS, Ms. Meyn attached to her Statement: (1) two credit card invoices dated January 18, 2020 (for \$15,650.03 and for \$21,143); (2) a handwritten document itemizing

various meat and poultry products and also stating (a) “Miller’s Organic Farm sold: to Anke Meyn (Pasture Raised Food Club),” (b) “Pd. \$21,143.08 1-28-20,” and (c) “Pd. \$15,650.03 1-18-20”; (3) a Wells Fargo Business Card Visa Statement “Prepared For Amos Miller Organic Anke Meyn” showing a Miller’s Organic Farm charge on January 18, 2020 of \$21,143.08”; and (4) a Capital One Visa Statement for “Anke Meyn Pastured Farm Food Club” showing a charge on January 18, 2020 of \$15,650.03;

WHEREAS, the parties (the United States of America, Amos Miller, and Miller’s Organic Farm) wish to resolve the issues of defendants’ non-compliance with the Injunction Order between November 19, 2020 and January 31, 2020 without further litigation of those issues, but while leaving the Injunction Order otherwise in effect; and

WHEREAS, the parties consent to the Court’s entry of the following provisions (the “Consent Decree”) as a judgment in this action;

NOW, THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED as follows:

1. Under the Court’s Injunction Order, the Court has continuing subject-matter jurisdiction over enforcement of the Injunction Order and continuing personal jurisdiction over all of the parties. *See* Injunction Order ¶ 32 (“The court retains jurisdiction to issue further decrees and orders[.]”).

2. Defendants Amos Miller and Miller’s Organic Farm have engaged in conduct, as set forth in the recitals above, that violates the Acts and the Injunction Order.

3. Pursuant to Paragraph 18 of the Injunction Order, defendants agree to pay to the United States within ninety days of entry of this Consent Order a penalty of \$2,500 for failing to

provide to FSIS representatives full and immediate access to Miller's Organic Farm's meat and poultry facilities, inventory, and records on January 24, 2020.

4. Defendants shall cease and desist all meat-and-poultry-related slaughtering, processing, custom-exempt operations, and retail-exempt operations (including retail-exempt operations conducted under 9 C.F.R. §§303.1(d) and 381.10(d)) unless and until defendants can demonstrate to FSIS compliance with applicable federal and State laws, including Commonwealth of Pennsylvania licensing requirements, as required by the Injunction Order.

5. Defendants must and shall remove from their websites and from their agents' websites (including but not limited to Miller's Facebook page, the Amos Miller Organic Farm website, and the Miller's Organic Farm website) all references to the availability of "fresh" or "not-frozen" meat, meat food products, poultry, and poultry products, until such time, and except to the extent, that Miller's is in compliance with applicable federal and State laws, including Commonwealth of Pennsylvania retail licensing requirements.

6. The Injunction Order Paragraph 14 period for defendants to liquidate their meat and poultry product inventory that was in existence on November 19, 2019 is extended by 90 days from the entry date of this Consent Order, but only on condition that defendants comply with all of the following requirements during the extension period, and only subject to the following:

a. Within 45 days from the entry date of this Consent Order, defendants must provide to FSIS a document identifying, for all products that defendants will be liquidating pursuant to Paragraph 14 of the Injunction Order and this Consent Order: (i) the names and addresses of all Miller's members who will be receiving any product from the existing inventory;

(ii) the kinds and amounts of products each member will receive, with a not-to-exceed purchase cap for each member-purchaser of 300 pounds of beef products, 37.5 pounds of calf products, 27.5 pounds of sheep products, 100 pounds of pork products, 25 pounds of goat products, and 75 pounds of poultry products; and (iii) the methods of shipment/delivery;

b. Within 45 days from the entry date of this Consent Order, defendants must provide to FSIS proof that each such Miller's member-purchaser was a member of Miller's Private Membership Association/buyers' club on or before November 19, 2019;

c. FSIS will have no longer than three days after receiving such a document and such proof to verify that the document and proof comply with this Consent Order and to advise defendants of any non-compliance;

d. Defendants may supplement such documents/proof, as necessary, but even if they do, the 90-day period will not be further extended;

e. If and when FSIS verifies that defendants have provided correct information, defendants may thereafter proceed to liquidate the pre-November 19, 2019 inventory to individuals who were Miller's buyer's club members on or before November 19, 2019;

f. Defendants must deliver or ship that inventory directly from Miller's to each individual member-purchaser for the purchaser's personal consumption;

g. Such inventory may not be resold;

h. Defendants must maintain and make available to FSIS, immediately upon FSIS' request, records of all such transactions and distributions, including but not limited to

invoices, shipping papers, FedEx or UPS transaction records, and other records relating to inventory liquidation;

i. Any such inventory remaining at Miller's after the 90-day extension period ends shall be destroyed under FSIS' oversight, at a time convenient to FSIS;

j. For any such product destruction, Miller's and its agents hereby waive all process that would otherwise be due to them, including any rights to file claims, appeals, or other complaints of any nature with regard to such disposition of any product inventory that remains after the 90-day extension period ends;

k. Defendants agree to pay to the United States any costs it incurs for transporting and destroying any product inventory that remains after the 90-day extension period ends;

l. Notwithstanding Paragraph 5, above, defendants may advertise the availability of their pre-existing product inventory to facilitate liquidation in accordance with the terms of this Paragraph 6; and

m. **Force Majeure**: If extraordinary circumstances beyond defendants' reasonable control occur that are tied directly to the current coronavirus pandemic and that cause shipment delays under Paragraph 6(f) after defendants timely comply with Paragraphs 6(a) and 6(b), defendants must immediately contact the U.S. Attorney's Office and advise it of those circumstances, and if the parties cannot agree that such circumstances exist and warrant modifying the 90-day deadline in this Paragraph 6, the parties may present the issue to the Court for resolution under Injunction Order Paragraph 15.

7. For the approximately 2,100 pounds of beef carcasses that defendants slaughtered on or about January 22, 2020, in violation of the Injunction Order:

a. Defendants shall have 45 days from entry of this Consent Order: (i) to identify to FSIS a licensed pet food manufacturer that has or will purchase these meat articles; (ii) to request FSIS to authorize up to 300 pounds of the articles for Amos Miller's personal use; and/or (iii) to destroy the articles under FSIS' oversight;

b. Should defendants seek to sell the articles to a pet food manufacturer, defendants must: (i) notify FSIS of the manufacturer's name and address; (ii) provide FSIS with a contract or other written agreement outlining the terms of the sales transaction; (iii) denature the articles; and (iv) before any of the articles are moved from Miller's premises, obtain FSIS' verification of proper denaturing;

c. If defendants do not timely identify to FSIS a pet food manufacturer-purchaser, defendants may keep (and need not destroy) up to 300 pounds of the articles for Amos Miller's personal use, but all other articles must be destroyed under FSIS' oversight.

8. The United States will request the Court to stay the Condemnation Action for at least 90 days, to permit defendants in this action the period that this Consent Decree contemplates to comply with the terms and conditions of this Consent Decree in a manner that would moot the need for a condemnation hearing regarding the defendant articles of meat and poultry in the Condemnation Action.

9. For purposes of this Consent Decree, service upon FSIS and/or the United States must be accomplished by both email and, if feasible, either hand delivery or overnight delivery to the attention of: Gerald B. Sullivan, Assistant United States Attorney, Office of the U.S.

Attorney, 615 Chestnut Street, Suite 1250, Philadelphia, PA 19106-4476 (Gerald.Sullivan@usdoj.gov). Email service is required because of the current COVID-19 state of emergency.

10. Defendants' \$2,500 payment that this Consent Decree requires shall be made pursuant to written instructions that the United States of America will provide to defendants.

11. Pursuant to the Injunction Order, which remains in effect, the Court retains jurisdiction to issue further decrees and orders as may be necessary to construe, carry out, modify, or enforce compliance with this Consent Decree. Should the defendants fail to abide by and perform all the terms and conditions set forth herein or in such further decrees as may be entered in this action, the United States of America shall apply only to this Court for relief, and any alleged violation of this Decree shall be adjudicated by the Court.

12. This Decree may be executed in one or more counterparts, each of which shall be deemed to be an original and all of which shall together constitute one and the same integrated Decree. A facsimile signed copy of this Decree shall have the same force and effect as an original signed copy.

13. By signing below, Amos Miller, who is the alter ego of Miller's Organic Farm, affirms that he has read this entire Consent Decree, has had it explained to him by his attorney, and agrees to all of its provisions.

AGREED AND CONSENTED TO:

Amos Miller, Defendant

/s/ William M. McSwain
William M. McSwain
United States Attorney
Eastern District of Pennsylvania

*Steven Lafuente, Esq.
Attorney for Defendants
Miller's Organic Farm
and Amos Miller*

/s/ Gregory B. David
Gregory B. David
Assistant United States Attorney
Chief, Civil Division

/s/ Gerald B. Sullivan
Gerald B. Sullivan
Assistant United States Attorney

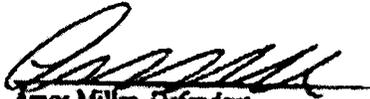
SO ORDERED THIS 16th DAY OF April, 2020.

BY THE COURT:

/s/ Edward G. Smith
HONORABLE EDWARD G. SMITH
Judge, United States District Court

13. By signing below, Amos Miller, who is the alter ego of Miller's Organic Farm, affirms that he has read this entire Consent Decree, has had it explained to him by his attorney, and agrees to all of its provisions.

AGREED AND CONSENTED TO:


Amos Miller, Defendant

/s/ William M. McSwain
William M. McSwain
United States Attorney
Eastern District of Pennsylvania


Steven Lefner, Esq.
Attorney for Defendants
Miller's Organic Farm
and Amos Miller

/s/ Gregory B. David
Gregory B. David
Assistant United States Attorney
Chief, Civil Division

/s/ Gerald B. Sullivan
Gerald B. Sullivan
Assistant United States Attorney

SO ORDERED THIS 16th DAY OF April , 2020.

BY THE COURT:

/s/ Edward G. Smith
HONORABLE EDWARD G. SMITH
Judge, United States District Court

EXHIBIT 10



February 13, 2020

Millers Organic Farm
Amos Miller
648 Mill Creek School Road
Bird-In- Hand, PA 17505

Notice of:

- (1) Requirement for Food Establishment Registration;**
- (2) Requirement for Retail Food Facility License;**
- (3) Penalties for Non-Compliance**
- (4) Food Establishment Application**
- (5) Retail Food Facility Application**
- (6) Requirement for Raw Milk permit**
- (7) Raw Milk Permit application**

Amos Miller,

Food Inspector Anthony Nardella recently met with you on 1-30-2020 to discuss the licensing requirements needed for your Organic Farm. The Pennsylvania Department of Agriculture (PDA) has determined that you will need a retail food license as well as milk permitting and a food establishment registration for distributing/wholesaling food items such as acidified and fermented foods, baked goods, meat products, and raw milk.

In order to continue manufacturing and distributing/wholesaling these items, you need to obtain these various licenses, registrations and permits and be inspected by the Department.

The Food Safety Act (3 Pa.C.S.A. §5734(a)) states that "it shall be the duty of every person operating a food establishment within this Commonwealth to register with the secretary as a food establishment."

The Retail Food Facility Safety Act (3 Pa.C.S.A. §5703(a)) states that "it shall be unlawful for any proprietor to conduct or operate a retail food facility without first obtaining a license for each retail food facility..."

I have enclosed the subchapter in 7PA. Code 59a where it states raw milk from producers must have a permit prior to selling raw milk in the Commonwealth.

This subchapter F cited in 7 Pa. Code § 59a.2 (relating to definitions); and 7 Pa. Code § 59a.17 (relating to inspection of dairy farms and milk plants).

§ 59a.401. Raw milk; general.

This subchapter prescribes the permitting, testing and inspection requirements that are applicable to persons seeking to sell raw milk for human consumption.

§ 59a.402. Raw milk; prohibitions.

(a) Sale of raw milk without permit. A person may not sell raw milk for human consumption without having a current raw milk permit issued by the Department. The term "sell" includes the selling, exchanging, delivering or having in possession, care, control or custody with intent to sell, exchange, or deliver or to offer or to expose for sale.

(b) Actions authorized under a raw milk permit. A raw milk permit authorizes the permitholder to lawfully produce and sell (within this Commonwealth) raw whole milk for human consumption. It also authorizes the permitholder to obtain an additional permit, issued by the Department under authority of 21 CFR 133.150 (relating to hard cheeses), authorizing the sale of aged cheese manufactured from raw milk.

(c) Compliance with testing and documentation requirements. A person may not sell raw milk for human consumption without being in compliance with the testing and documentation requirements of this section.

Within 30 days of the date of this letter, please complete the enclosed applications and return them to my attention. Failure to do so may result in the Department having to issue an order to cease and desist from retail, wholesaling and/or distributing food to the public. I have enclosed copies of various applications for your convenience. Your assigned inspector is Anthony Nardella. He is available to assist you with completion of the applications and licensing process if need be. He can be reached at anardella@pa.gov or by telephone at 717-215-9205.

Also enclosed, is information about obtaining the proper milk permits. Your assigned milk inspector is Glen Sweitzer. He can be reached at glswitzer@pa.gov or by telephone at 717-460-6164.

I would like to invite you to have a meeting here at the Department, so we could better guide you in the direction needed to obtain the appropriate licenses, registrations and permits required by the Pennsylvania Department of Agriculture to provide safe food from approved sources. If you would be interested in a meeting, please reach out to me to get this scheduled.

Failure to reply to this letter, by completing the enclosed applications, may result in PDA pursuing further legal action. Depending on the nature of the continuing violation, PDA's actions may entail summary criminal prosecutions and/or civil penalties of up to \$10,000 per violation.

Sincerely,



Melissa White
Regional Supervisor
Division of Food Safety
mwhite@pa.gov
717-772-3237

EXHIBIT 11

To Whom it may concern 9 + POA
Regarding letter sent on Feb 13
We have decided the best option is to close
Millers Organic farm operation ~~wants~~ once its products
are liquidated We here at the farm
cannot see how to successfully financially swing
it up to your expectations According to
your inspector that was here we would
have to spend an enormous amount to bring into
your compliance plus he strictly forbid Raw cream
Raw butter etc This is a large amount of our
success in what we do Closing our establishment
will only be the normal ^{trend} that it has been the
last year or two where it will be seeing
more farmers inactive on the farms in Lane Co.
Our forefathers would be appalled or could not believe
how little farming is done and very little horse
farming that is no longer out on the countryside
We wish your department could realize this and
start facing reality that with enforcing your rules and
regulations the next generation could be without food
no more...!! No food!! we ~~would~~ need the department

RECEIVED

Pennsylvania Department of Agriculture

MAR 25 2020

Region 6 Office

Harrisburg, PA

to bring themselves down to the consumers & the Farmers Level But maybe you have no longings to the.

It would be either that or continue to listen to the big ag businesses so they can make their profit and then leave the farmers strangling to ^{almost non-}existence

Please consider the first option so our next generations ~~can~~ can continue raising their families on the farm!! ~~what what in market~~

By Miller's Organic Farm to fill out all the forms that you sent would require the farm to make a rather large loan we do not like the idea of that as many other business that were doing dairy recently went under or to almost non existence due to a debt load such as Kings Creamery, Oasis of Bird-in-Hand, Longview Creamery etc

Miller's Organic farm does not want to be a burden to our community because many of these that ^{did} follow your rules & regulations but went under financially

The big question remains do we want farmers to survive or not

I will give our members a chance to restructure to a herd lease or to use our private agreement etc according to your letter you had specified public sales as you may know that we do not supply to any stores which ^{would} be public

If you have any more questions or comments feel free to contact our members also known as Miller's food Coalition

- President Tom Seidel 443 844 4084
- Vice president Evan 408 830 4123
- Secretary Anke 561 512 7695

Truly yours

Anni Miller

EXHIBIT 12



pennsylvania

DEPARTMENT OF AGRICULTURE

BUREAU OF FOOD SAFETY AND LABORATORY SERVICES

April 23, 2020

Amos Miller
Miller's Organic Farms
648 Mill Creek School Rd
Bird in Hand, PA 17505

**Re: Your Recent Letter re Ceasing Business Operations
Notice re "Sales" of Food**

Dear Mr. Miller:

I recently received the enclosed letter in which you report your intention to *close* Miller's Organic Farm operations once its products are liquidated.

The decision to close your business rather than attempt to meet the requirements for lawful operations is yours. If you intend to *resume* sales of food at some point, though, please keep in mind that the Pennsylvania Department of Agriculture ("PDA") can help identify the various permit and registration requirements that might apply to your food sale business. Since these requirements would vary with the type of food-related business you wish to conduct, I suggest you engage with PDA early in your planning process to make sure your operation is safe and lawful.

PDA currently registers over 6,500 food establishments, licenses over 42,000 restaurants, and has issued permits to about 135 operations that lawfully produce raw milk for human consumption under those PDA-issued permits. These businesses vary in their size and sophistication but are all required to meet (and are capable of meeting) applicable food safety standards. These standards are intended to protect the health and safety of consumers.

Your letter also references possible "herd lease" arrangements or "private agreement" arrangements with your customers.

As far as a herd lease (sometimes called a "cow share" arrangement) goes, if at some point you wish to consider this type of business model, I encourage you to research this carefully and consult with your attorney and receive his/her professional assistance in drafting the documents by which that would be accomplished. These are complicated business arrangements that require shareholders to have a true proportional share in the ownership of the subject animals or property.

As far as a "private agreement" goes, please be aware that organizing your business as a "buyers' club" or as a business that conducts only "private sales" does not mean that the sale of food to members of that club are not "sales" and does not relieve a food sales business from having to comply with the Milk Sanitation Law (if milk or milk products are involved) or the Food Safety Act. For example, sales of food from buyers' clubs such as Sam's Club, Costco or BJ's Wholesale Club, where customers sign a contract and pay a yearly fee to be members of that club, are still "sales" of food.



pennsylvania

DEPARTMENT OF AGRICULTURE

BUREAU OF FOOD SAFETY AND LABORATORY SERVICES

The fact that a business might impose front-end fees, registration requirements, entry requirements, admission requirements or other financial or contractual obligations on its customers before those customers can purchase food from that business does not mean the food is being acquired by some means other than a “sale.”

The Milk Sanitation Law provides that “... no person shall sell milk, milk products or manufactured dairy products within this Commonwealth without first having obtained a permit...” from PDA. For this reason, the sale of raw milk to buyers’ club members from a source that does not have a PDA-issued raw milk permit would be illegal.

Similarly, the Food Safety Act requires that “food establishments” register with PDA. A food establishment is a location that is used or operated for the purpose of storing, packaging, making, cooking, mixing, processing, bottling, baking, canning, freezing, packing or otherwise preparing, transporting or handling food for commercial purposes. If your operation engages in any of these activities under a buyers’ club business format, it is a food establishment and must be registered with PDA.

Depending on the type of violation involved, PDA has authority to prosecute criminal violations, impose civil penalties and/or engage through the Office of Attorney General to obtain an injunction to prohibit future violations. PDA’s focus, though, is on educating food producers in the area of food safety and on helping producers come into compliance with food safety legal requirements. PDA and food producers have a mutual interest in seeing that food is safe for consumers.

If you disagree with the extent of PDA’s authority and feel the laws should be different (for example, to treat food purchased through buyers’ clubs with less oversight than other foods), you are free to pursue that idea with your legislators.

If you have any questions or would like additional information, please contact Sheri Morris, Assistant Director, at (717) 787-5289.

Respectfully,

A handwritten signature in black ink, appearing to read "Jeff Warner".

Jeff Warner, Director

Encl: Undated Letter from Amos Miller

Cc: Melissa White, Region 6 Food Safety Supervisor

Nichole Martz, Chief of Food Safety, Field Operations

Sheri Morris, Assistant Director

EXHIBIT 13

From: [Flanagan, Paul - FSIS](#)
To: [Hostetter, Gregory](#); [Morris, Sheri](#)
Subject: [External] Miller's November Price List and Newsletter
Date: Thursday, November 5, 2020 7:34:48 AM

ATTENTION: *This email message is from an external sender. Do not open links or attachments from unknown sources. To report suspicious email, forward the message as an attachment to CWOPA_SPAM@pa.gov.*

Good morning Greg and Sheri, here is the November Newsletter and Price List link. Thank you.

<http://www.myhealthyfoodclub.com/assets/images/Docs/farm-food-price-list.pdf>

November 2020 Newsletter

Dear Members,

Thanksgiving greetings sent your way in the Name of God our Creator who made things so well. Yes, indeed we have lots to be thankful for. The harvesting season is coming to an end. The good news is that our cooler is stocked with nutrient-dense food for our members. The sad thing is that it's the opposite for our meat freezers, due to the ongoing hassle with USDA. They are continuing their mission with harassment and tightening things down for our farm to succeed with supplying our members with nutrient-dense, grass-fed meats. If a food shortage does come, it is not that God has not been providing. It is the nature of man or human being that comes into play and thrives on control. Therefore, the whole picture of reality gets interfered with something that does not work out so well. In this case, USDA has put a lot of trust in large feedlots and farms to sustain the food supply, but as we all know, God intervened last spring/summer and gave us all a warning that the big feedlots and farms are not the answer to sustain the food supply due to the empty store shelves & especially the meat supply. We have informed USDA, the Senators and Congressmen that if they do not bring themselves to the level of the small farms, and if another pandemic or Act of God would take place, or if for any reason protesting might take place because of political party disruptions over the election, etc., yes, food could get scarce rather quickly, lots of produce and animals in big farm operations could not get harvested this summer because of large processors being under-staffed. Yes, having a good relationship with your farmer is key to having access to good food when times get tough, such as having no past due invoices, and if your Fed Ex or UPS package might arrive 1 or 2 days late for any reason, many of our members go the second mile and at least accept the package, and when it comes, they dig out the less perishable items. This goes a long way to building a good relationship with us as the farmer. Our goal is to pack your order with extra ice so that when it gets delayed, it still arrives in good condition.

We have a few food drops in certain areas. If you live close to those areas, please consider picking up your order there. Please specify which drop.

Our goal is to provide you with chemical-free, citric acid-free and grass-fed, nutrient-dense foods.

We love what we do. My family and our community have a passion to fulfill your needs.

Special Notes for November:

As you may know, this month brings the special day of Thanksgiving Day, which we are grateful to lay that day aside to thank God and count our many blessings that God has shared with us. As you also know, it is also the month that people think of food. We will try to fulfill your orders in a timely manner. Our goal was to fulfill it within 24-48 hours, but this month we will need to extend that to

1-3 days. Please place your orders in a timely manner. We appreciate your patience and cooperation.

My favorite for a Thanksgiving meal would contain sweet potatoes with lots of raw butter, chicken pie with plenty of broth, buffalo steak or roast and of course a dish of turkey meat, whether it be whole, turkey breast or turkey legs, or small smoked chicken fryer would be great. What about a fresh salad containing carrots, lettuce, grated eggs, ham and bacon?

This month receive \$2.00 off per Farm Fresh veggie box (must mention to receive). The contents of our veggie boxes vary from day to day depending on what is available. Every box contains 8 items. The following is a list of veggies that could be included in the boxes: napa cabbage, pink celery, radicchio, curly parsley, white scallions, Yukon gold potatoes, red tomatoes, red radishes, red beets, a variety of winter squash, red leaf lettuce or mizuna.

Enjoy some sourdough or soaked bread with lots of butter & jam or honey.

For dessert, see our list of homemade cookies & pies. We have apple or shoofly pie. Our seasonal items are pumpkin pie and pumpkin cheesecake ice cream. And of course, I always enjoy my whipped cream with a dash of maple syrup.

Free Gift for November: When you purchase \$100 or more, receive one (1) 8 oz. of buffalo soft cheese spread – plain or herbal bliss (must mention to receive).

Happy Thanksgiving to all, and let's not forget to be thankful and give glory to God for all things good.

Amos & Family & Staff

P.S. USDA is aggressive and they will continue to disrupt our mission if possible. Your prayers are needed.

Paul J. Flanagan
Compliance Investigator
USDA, FSIS, OIEA, CID
The Lit Building
701 Market Street
4th Floor, Suite 4100-C
Philadelphia, PA 19106
Office # 215-430-6207
Cell # 215-704-0139
Fax # 215-597-2015
paul.flanagan@fsis.usda.gov

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EXHIBIT 14

another person or entity, Miller's Organic Farm's successor or assignee must comply with the obligations imposed by this Order," *id.* at ¶ 26, a provision that the court emphasizes in light of Amos Miller's recent comments that he may cease operating under the name "Miller's Organic Farm";

WHEREAS, the Injunction Order further provided that Amos Miller and Miller's: (1) "shall be jointly and severally liable for any violations . . . committed while Miller's Organic Farm and Amos Miller are affiliated with one another"; and (2) "shall be severally liable for any violations . . . committed during any period in which the defendants are not affiliated," *id.* at ¶ 28;

WHEREAS, on October 25, 2021, Steven Lafuente, Esquire moved to withdraw as counsel for defendants (Doc. No. 120), which the United States opposed (Doc. No. 124);

WHEREAS, on November 3, 2021, Prairie Star National, a self-described "Law Advocate," sent a letter (Doc. No. 125) to the court and Attorney Lafuente in which it: (1) purported to represent the defendants (or at least Mr. Miller) in this action, despite neither Prairie Star National nor the letter's author having asserted that they are licensed to practice law; and (2) appeared to assert sovereign-citizen-type arguments on behalf of Mr. Miller;

WHEREAS, the court scheduled a November 12, 2021 hearing on Mr. Lafuente's motion to withdraw and ordered the defendants to appear in person, but they did not appear (Doc. Nos. 123, 127);

WHEREAS, on November 9, 2021, the plaintiff, United States of America, moved to require the defendants to show cause why they should not be held in further contempt of the Court's Injunction Order, Consent Decree, and Contempt Sanctions Order on grounds, in part, that "shortly after the July 22 Contempt Sanctions Order, Miller's and its agents began carrying out a scheme to circumvent the Court's enforcement orders, including through engaging in illegal

poultry slaughter and processing operations under a different business name on Miller's adjacent farm," United States' Mot. for an Order to Show Cause Why Defs. Should Not Be Held in Further Contempt at pp. 2-3, Doc. No. 126;

WHEREAS, on November 16, 2021, the court: (1) ordered the defendants to show such cause on December 16, 2021; (2) directed the clerk of court to reject any of Prairie Star National's attempted filings in this case; (3) reserved judgment on Mr. Lafuente's motion to withdraw; and (4) reminded Mr. Miller that Miller's cannot proceed without licensed counsel, *see* Doc. No. 128;

WHEREAS, on December 15, 2021, the clerk of court received from Mr. Miller and docketed (though the documents were unavailable on the public docket and inaccessible to the United States until after the December 16, 2021 show cause hearing) several documents that are dated October 14, 2021, including: (1) a "Mandatory Judicial Notice"; (2) an "Affidavit" of Mr. Miller; (3) a "Declaration of Citizenship"; (4) a "Mandatory Notice"; (5) a "Certificate of Assumed Name/Notice of Transfer of Reserved Name"; (6) an "Acknowledgment, Acceptance and Deed of Re-Conveyance"; and (7) a "Certificate of Assumed Name Notice of Transfer of Reserved Name" (Doc. No. 134);

WHEREAS, those documents (some "witnessed" by a Prairie Star National representative) principally state that:

- Mr. Miller challenges (and is not submitting to) the court's jurisdiction because he is not a United States citizen but, rather, an "American national citizen" and occupant of "the land & soil of the nation state of Pennsylvania";
- Mr. Miller is two beings—a "living man" self, and a "corporate entity" self;
- Mr. Miller notifies "each member of the prosecution and . . . all officers of the Court" that he is "claiming the Writ of Habeas Corpus," and that if they or others violate or attempt to violate his "political status and Title Order" they will be "liable severally, and jointly . . . as an affidavit of obligation in the normal commercial sense and as such is a severity representing accounts receivable and is a lien upon the real and movable property . . . and is not dischargeable in bankruptcy court";

- Mr. Miller will consider offending acts against his interests or him as “commercial torts” “subject to full commercial liability and penalties under 18 USC 2333, 28 USC 1341 and 1342 . . . in the amount determined from a ‘publicly posted fee schedule,’ plus three times damages, as authorized under the Uniform Commercial Code”;
- Miller’s Organic Farm’s actual name is “Amos Miller Organic Farm”;
- In a Chapter 7 “liquidation bankruptcy” that supposedly was filed in September 2015, and pursuant to a November 5, 2020 or 2021 bankruptcy discharge, all “corporate debt” involving Mr. Miller was “dissolved,” and the Miller’s-related “names [were] abandoned”;¹ and
- Mr. Miller plans to cease running his farm business as “Miller’s Organic Farm,” Doc. No. 134;

WHEREAS, in its November 16, 2021 Order, the court: (1) noted that the United States had alerted the court that sovereign citizen groups have filed false liens against officers of federal courts; and (2) admonished “its audience that the act of filing false liens against the property of a federal judge or federal law enforcement officer is a federal crime, punishable by up to 10 years imprisonment,” Nov. 16, 2021 Order at 4 n.5 (citing 18 U.S.C. § 1521);

WHEREAS, at a December 16, 2021 show cause hearing, Mr. Miller appeared and generally limited his statements to a written affidavit (the “new affidavit”) that he introduced, that differs somewhat from his earlier-dated, above-described affidavit, and that principally appears to state that:

- Mr. Miller’s “advisors” and he were not rejecting the court’s “ability to adjudicate any charges against the corporate entity” (Miller’s Organic Farm) and were not intending to threaten the court or its officers;
- Mr. Miller’s “advocate” did not purport to represent Miller’s Organic Farm or any related business entity;
- Mr. Miller is “an American National, and not any kind of U.S. Citizen,” and he is asserting protection under 18 U.S.C. § 242, is claiming the Writ of Habeas Corpus, and is standing on his rights under the United States Constitution; and

¹ The court has searched the dockets of the United States Bankruptcy Courts for the Eastern and Middle Districts of Pennsylvania and found no reference to any such bankruptcy proceeding, let alone any such discharge and abandonment of names.

- Mr. Miller’s “intention” is “to close all business entities/accounts of Amos Miller Organic Farm, and to discontinue all business under that name”;

WHEREAS, the United States has submitted that Mr. Miller’s statements in these affidavits are largely boilerplate recitations of a fanciful sovereign citizen ideology known as “redemption theory,” under which an adherent supposedly:

- upon renouncing U.S. citizenship, becomes a “sovereign” of the “republic” of his State, free from U.S. government control;
- exists in two forms, both bodily (over which the federal government lacks power) and in a fictional, corporate, or “strawman” self (or estate) that the government uses as collateral for national debt;
- by filing UCC financial statements, can free/reclaim his strawman self from “commercial slavery” to the federal “government corporation”—which profits off of individuals through acts such as issuing licenses; and
- if in prison, is entitled to a liberating writ of habeas corpus on grounds that the sentencing court and government lack jurisdiction;

WHEREAS, at the December 16, 2021 hearing: (1) the court denied without prejudice Attorney Lafuente’s motion to withdraw, and allowed him to present argument and evidence on behalf of Mr. Miller and Miller’s Organic Farm; (2) the United States presented both argument and the testimony of USDA Food Safety and Inspection Service (“FSIS”) Compliance Investigator Paul Flanagan, who summarized FSIS’s declarations supporting the government’s request for further injunctive relief, contempt findings, and contempt sanctions; and (3) the defendants chose not to present any argument, testimony, or evidence apart from the new affidavit and brief remarks from Mr. Lafuente, who noted that he was not in a position to present any evidence because Mr. Miller had not been communicating with him;

WHEREAS, at the conclusion of that hearing, the court admitted into evidence Mr. Miller’s new affidavit as well as the United States’ several supporting FSIS witness declarations,

which are Doc. Nos. 126-1 (Flanagan Declaration), with attachments; 126-4 (Smith Declaration); 126-5 (Safian Declaration); 126-6 (Ronczka Declaration); 130 (Flanagan Supplemental Declaration); 131 (Safian Supplemental Declaration); and 132 (Humbles Declaration);

WHEREAS, at that time the court also: (1) reserved any contempt and sanctions ruling; and (2) invited the United States to submit a proposed order with proposed findings of fact, conclusions of law, and contempt sanctions;

WHEREAS, on December 30, 2021, the United States filed a declaration (Doc. No. 135) stating FSIS's investigative/enforcement costs since entry of the court's Contempt Sanctions Order;

WHEREAS, on January 6, 2022, the United States filed proposed findings of fact and conclusions of law in support of further injunctive relief and civil contempt sanctions (Doc. No. 136);

WHEREAS, on January 11, 2022, on the United States' motion (Doc. No. 137) brought under Federal Rule of Evidence 706, the court ordered the defendants to show cause why George David Lapsley should not be appointed to serve as the court's expert on certain issues relating to the defendants' compliance with the court's enforcement orders (Doc. No. 138);

WHEREAS, on February 3, 2022: (1) the court heard oral argument on the parties' positions regarding (a) further injunctive relief, (b) civil contempt sanctions, and (c) whether Mr. Lapsley should be appointed as the court's expert under Rule 706; and (2) Mr. Lapsley appeared and answered the court's and the parties' questions;

WHEREAS, by separate order, the court is: (1) appointing Mr. Lapsley as the court's Rule 706 expert on issues relating to defendants' compliance with the court's injunction-related and contempt orders; and (2) stating Mr. Lapsley's expected scope of work (Doc. No. 142); and

WHEREAS, on February 3, 2022, in open court, the court read the key provisions of this current order to Mr. Miller and provided him with an opportunity: (1) to explain any confusion he had about the order's injunctive relief and sanction requirements and the consequences for his further non-compliance; and (2) to hear the court's clarifying response;

WHEREAS, at that hearing, the court also explained to Mr. Miller the court-appointed expert's role and the defendants' need affirmatively to cooperate with Mr. Lapsley;

NOW, THEREFORE, on this 4th day of February, 2022, under Federal Rule of Civil Procedure 52(a), the court: (1) admits, as part of the contempt record, the United States' declaration (Doc. No. 135) stating FSIS's investigative/enforcement costs since entry of the court's Contempt Sanctions Order; (2) further admits into the record Mr. Miller's "Mandatory Judicial Notice," with its attachments (Doc. No. 134); (3) makes the following FINDINGS OF FACT; (4) states the following CONCLUSIONS OF LAW; (5) ORDERS FURTHER INJUNCTIVE RELIEF; and (6) ORDERS CONTEMPT SANCTIONS, as follows:²

FINDINGS OF FACT

Anonymous Tip to FSIS One Month After Contempt Sanctions Order

1. On August 19, 2021, the defendants moved to alter or amend the \$250,000 civil contempt fine that was otherwise then due, which the court had imposed in its July 22, 2021 Contempt Sanctions Order. In so moving, the defendants urged that they had "taken all actions required of them to date to comply with the Contempt Order," and were therefore "no longer out of compliance with the Injunction Order, Consent Decree or Contempt Order, making payment of the \$250,000 fine unnecessary to bring them into compliance." Defs.' Mot. to Alter/Amend J. at

² See, e.g., *ABI Jaoudi and Azar Trading Corp. v. Cigna Worldwide Ins. Co.*, No. 91-cv-6785, 2016 WL 3959078, at *1 (E.D. Pa. July 22, 2016) (findings of fact and conclusions of law in connection with civil contempt are made under Rule 52).

p. 3 ¶¶ 6–7, Doc. No. 106; *see also* Defs.’ Br. in Supp. of Their Mot. to Alter/Amend J. at p. 4, Doc. No. 106-3.

2. For support, the defendants submitted an August 17, 2021 declaration of Amos Miller, which he made under penalty of perjury. *See* Decl. of Amos Miller Supporting Defs.’ Mot. to Amend/Alter J., Doc. No. 106-2. Mr. Miller testified there, in part, that: (a) “On or before July 22, 2021, defendants ceased the slaughtering and delivery of amenable animals”; and (b) “On or before July 22, 2021, defendants ceased all amenable meat-and-poultry-related retail exempt operations pending compliance with federal and state requirements as required by the [July 22, 2021] Contempt Order[.]” *Id.* at ¶¶ 3, 4.

3. In urging reconsideration of the civil contempt fine, the defendants asked the court to account for Mr. Miller’s subjective intent and argued (as they had in the past, regarding Mr. Miller’s many antecedent violations) that he had acted in good faith. In so doing, however, they acknowledged that the Supreme Court has pronounced that “[o]ur cases suggest . . . that civil contempt sanctions may be warranted when a party acts in bad faith.” Defs.’ Br. in Supp. of Their Mot. to Alter/Amend J. at p. 7 (citing *Taggart v. Lorenzen*, 139 S. Ct. 1795, 1802 (2019)).

4. Throughout this litigation, the United States has argued that Amos Miller is not the easy-to-manipulate simpleton that his counsel has sometimes portrayed him as but is, instead, a savvy (if unwise) businessman whose modus operandi over many years has been: (a) to plead and feign ignorance of laws he does not wish to comply with; (b) to refuse to cooperate with regulators when he believes he can evade them; (c) to comply with only so much of judicial orders as he believes necessary for enforcement actions to be dismissed or to become dormant; (d) to defend his knowing non-compliance through post hoc self-justifications; and (e) generally to treat FSIS’s

cooperative outreach to (and accommodations of) his business as the actions of a paper tiger and regulatory system that can be gamed.

5. In the United States' view, for example, sovereign citizen advocacy group Prairie Star National has not taken advantage of Mr. Miller and misled him into non-compliance. Rather, the United States maintains that—after Mr. Miller intentionally flouted the court's Contempt Sanctions Order in August and September 2021, and after he realized that FSIS had become aware of his illegality—he strategically turned to Prairie Star National to assist his knowing efforts to impede FSIS's regulatory authority, circumvent the court's orders, and avoid the effects of his contempt violations. In other words, the government says, Mr. Miller concluded that it was to his greater advantage in avoiding his legal obligations to have a non-attorney advocate argue that the court lacks jurisdiction (at least over him personally) and that the court's orders were non-binding than to continue to retain an attorney who would advise him to comply with the law and those orders.

6. During the June 2021 contempt hearings, the court had admonished Mr. Miller against again unilaterally seeking to depart from the requirements of the court's orders without applying to the court or consulting with counsel or FSIS. The court insisted that Mr. Miller be "forthright about what you're doing" rather than continuing to operate "in a hidden way," which would not "bode well for you." Tr. of June 16, 2021 Hr'g at 180:17-182:5, Doc. No. 101.

7. When on August 25, 2021 the court held the \$250,000 fine in abeyance to allow the parties a brief period to discuss whether they could reach agreement on how Miller's could fulfill the outstanding contempt sanctions requirements, the court again stressed the need for Mr. Miller to be "honest and forthright," including about his slaughtering activities, because "there is a real belief that he has been hiding what he's been doing, that he has been, basically, trying to

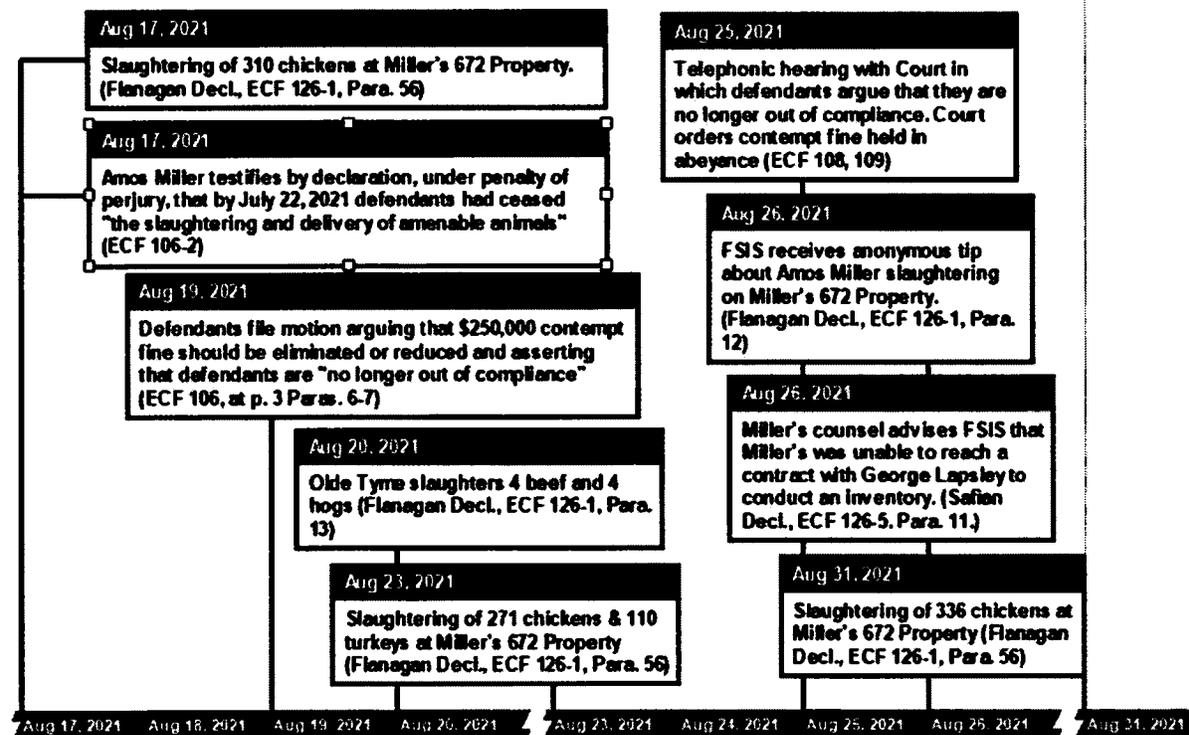
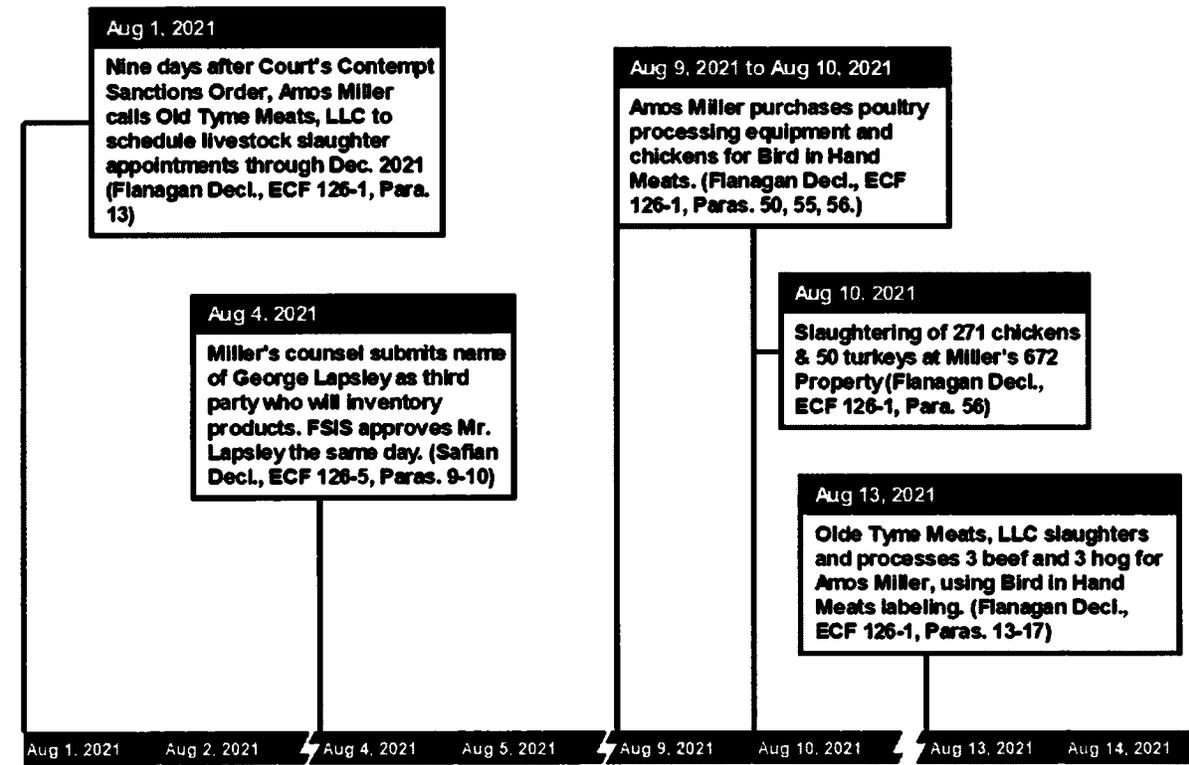
play a game with the Government enforcers and that game can't be allowed to continue." Tr. of Aug. 25, 2021 Telephonic Hr'g at 27:23 to 28:13, Doc. No. 110.

8. On the very next day, August 26, 2021, an unnamed informant advised FSIS that he had heard that Mr. Miller had been slaughtering/processing at Miller's 672 Mill Creek School Road Property, which is adjacent to Miller's main farm. Decl. of Paul Flanagan ("Flanagan Decl.") at ¶ 12, Doc. No. 126-1.

9. Particularly concerning and probative here is what FSIS's investigation then revealed about Mr. Miller's activities between July 22, 2021 (the date of the Contempt Sanctions Order) and September 8, 2021 (when he apparently first learned that FSIS was investigating his operations on the adjacent farm).

10. At the December 16, 2021 contempt hearing, the defendants' counsel argued that Mr. Miller's illegality stemmed from disappointment that he had been unable to contract with George Lapsley to conduct a required product inventory. The court stresses, however, that much of this concerning conduct occurred before the August 26, 2021 date on which the defendants advised the government that they had been unable to reach a contract with Mr. Lapsley.

11. The following timeline, which is consistent with the court's findings below, shows that the defendants' actions in contempt of the court's July 22, 2021 Contempt Sanctions Order began well before Mr. Lapsley's withdrawal:



12. Miller's main farm (the historic locus of its business operations) is located at 648 Mill Creek School Road, Bird-in-Hand, Pennsylvania 17505. Flanagan Decl. at ¶ 3. Mr. Miller testified that he has owned this 55-acre farm property—referred to in this order as “Miller's 648 Property”—for at least 16 years. Tr. of June 16, 2021 Hr'g at 91:12-18.

13. In its Contempt Sanctions Order, the court found that: “In addition to his original Bird-in-Hand, Pennsylvania farm, Mr. Miller owns an adjoining farm that he purchased for \$1.45 million in September 2020, during the height of the COVID-19 pandemic.” July 22, 2021 Order at ¶ 76, Doc. No. 105.

14. That Amos Miller-owned adjoining farm is located at 672 Mill Creek School Road, Bird-in-Hand, Pennsylvania 17505 (“Miller's 672 Property”). Flanagan Decl. at ¶ 3.

15. FSIS has never received an application for Federal inspection services from Mr. Miller, Miller's, or Miller's agents, employees, or assigns, for any facilities or operations located at either Miller's 648 Property or Miller's 672 Property. Decl. of Tisha D. Smith at ¶¶ 8–9, Doc. No. 126-4.

16. On August 26, 2021, the unnamed informant also advised FSIS that several local livestock and food producers/retailers had been doing business with Olde Tyme Meats, LLC (“Olde Tyme”), a meat slaughter and processing establishment in Chambersburg, Pennsylvania that operates as Establishment 9640 under a USDA-FSIS grant of Federal inspection. Flanagan Decl. at ¶ 12.

17. On September 7, 2021, Olde Tyme's general manager told FSIS that: (a) Mr. Miller had contacted him by phone on or about August 1, 2021, to schedule dates through December 2021 for the slaughter and processing of beef and hogs; and (b) Olde Tyme had since slaughtered for

Mr. Miller: (i) three beef and three hogs on August 13, 2021, (ii) four beef and four hogs on August 20, 2021, and (iii) three beef and three hogs on September 3, 2021. Flanagan Decl. at ¶ 13.

18. Beef and hogs and their post-slaughter products are what are known as “amenable” animals and products, because they are subject to the Federal Meat Inspection Act (the “FMIA” or “Meat Act”), 21 U.S.C. § 601, *et seq.* and its implementing regulations that FSIS enforces. *See Flanagan testimony*, Dec. 16, 2021.³

19. Under the Contempt Sanctions Order, Mr. Miller and Miller’s have been prohibited from such sending of livestock (or poultry) to any federally inspected establishment (such as Olde Tyme) or to any non-federally inspected establishment unless and until either: (a) FSIS verifies that Miller’s has first liquidated all of its existing meat and poultry inventory (which FSIS has not yet done, because Miller’s has not yet provided FSIS with an inventory); or (b) Miller’s obtains prior approval from FSIS to do so (which Miller’s has not obtained). *See July 22, 2021 Order at ¶ 118; see also Decl. of Scott C. Safian, FSIS’s Director of Enforcement Operations Staff (“Safian Decl.”) at ¶¶ 33–36, Doc. No. 126-5.*

20. Among the documents that Olde Tyme provided to FSIS, as evidence of the establishment’s livestock slaughter and processing for Miller’s in August and September 2021, were Mr. Miller’s April 14, 2021 faxed instructions to Olde Tyme on how to process “our” beef and hogs. Flanagan Dec. at ¶¶ 15–16.

21. During the September 7, 2021 visit, Olde Tyme’s general manager told FSIS that, at Mr. Miller’s direction: (a) the invoicing for Mr. Miller’s orders was to be for “Bird in Hand Meats”; (b) the labeling of the finished meat products was to state “Bird in Hand Meats, 672 Mill Creek School Road, Bird-in-Hand, PA 17505” (*i.e.*, using Miller’s 672 Property’s address); and

³ To date the proceedings held on December 16, 2021, have not been transcribed.

(c) the finished products were to be shipped, in bulk, to Miller's 648 Property. Flanagan Dec. at ¶ 17.

22. It was thus on September 7, 2021 that FSIS learned, for the first time, that Mr. Miller and his agents had been conducting: (a) meat and/or poultry operations using Miller's 672 Property as an address; and (b) some meat and/or poultry operations under the name "Bird in Hand Meats." Flanagan testimony, Dec. 16, 2021.

FSIS's Site Visit to Miller's Two Adjoining Properties on September 8, 2021

23. Based on that new information, FSIS, on September 8, 2021, sent investigators to both Miller's 672 Property and Miller's 648 Property.

24. At Miller's 672 Property, FSIS investigators initially observed a Miller's employee cutting up fresh poultry products inside a non-refrigerated semi-trailer. The employee told the investigators that they did not have a right to be on the property and directed them to Mr. Miller at Miller's 648 Property. Flanagan Decl. at ¶¶ 20–23.

25. Chickens and turkeys and their post-slaughter products are what are known as "amenable" animals and products because they are subject to the Poultry Products Inspection Act (the "PPIA" or "Poultry Act"), 21 U.S.C. § 451, et seq. and its implementing regulations that FSIS enforces. Flanagan testimony, Dec. 16, 2021.

26. Meanwhile, at Miller's 648 Property on September 8, 2021, Amos Miller, after initially denying FSIS investigators entry to his buildings until he consulted with his attorney, stated that he would not deny the investigators access but did not consent to it either. Decl. of Michael J. Ronczka ("Ronczka Decl.") at ¶¶ 7–10, Doc. No. 126-6.

27. In a freezer in Miller's 648 Property's main building, the investigators observed kettles of recently cooked poultry products (warm broth and chicken part stocks). Ronczka Decl. at ¶ 15.

28. Under the July 22, 2021 Contempt Sanctions Order, Miller's was required to cease and desist all amenable meat-and-poultry-related retail-exempt operations unless and until Miller's demonstrated compliance with Commonwealth of Pennsylvania retail licensing requirements. July 22, 2021 at ¶ 38; Safian Decl. at ¶ 38.

29. Cooking such poultry products for sale to consumers is an exempt retail activity (9 C.F.R. § 381.10(d)) that requires Pennsylvania Department of Agriculture licensing. Safian Decl. at ¶ 39.

30. Mr. Miller, Miller's, and their agents have not, to date, obtained Pennsylvania Department of Agriculture licensing to conduct such retail operations. Safian Decl. at ¶ 40.

31. On September 8, 2021, FSIS investigators also inspected a large semi-trailer with a running refrigeration unit that was located next to Miller's 648 Property's main building and that FSIS had not seen during earlier visits. Inside the trailer, they observed: (a) numerous plastic crates containing various fresh (*i.e.*, not frozen) poultry products in retail-sized packages, bearing Bird in Hand Meats labeling and marked "EXEMPT P.L. 90-492"; (b) in cardboard boxes and plastic crates, several thousand pounds of various frozen poultry products (chicken and turkey) in retail-sized packages that were either labeled with a Miller's Organic Farm "scale tag" or unlabeled, but all without any USDA mark of inspection; and (c) several hundred pounds of various frozen beef and pork products, all with "Bird in Hand Meats" labeling that included Olde Tyme's name and address (as the entity that had slaughtered and processed the products under federal inspection) and the USDA mark of inspection. *See* Ronczka Decl. at ¶¶ 17–23; Flanagan Decl. at ¶¶ 22–27.

32. With regard to the statement “Exempt P.L. 90-492” that appeared on the labels of the FSIS-observed poultry products, most poultry products produced from birds that have not been slaughtered under federal inspection are required to be marked with that statement. Safian Decl. at ¶ 29 (citing 9 C.F.R. § 381.10).

33. Based on the observed fresh and frozen poultry products’ location, appearance, and labeling or lack of labeling, FSIS investigators believed that the products: (a) had been derived from birds slaughtered without federal inspection; and/or (b) were misbranded under the Poultry Act. Ronczka Decl. at ¶ 24.

34. Under Paragraph 10 of the Injunction Order and Paragraphs 117 and 125 of the Contempt Sanctions Order, Miller’s and its agents have been prohibited from engaging in “exempt” poultry (as well as “exempt” livestock) slaughter and processing operations without first submitting an “Exempt Plan” directly to FSIS and obtaining FSIS approval (or judicial approval, after an FSIS final agency decision) of such operations. Safian Decl. at ¶ 30.

35. To date, FSIS has not approved any such “Exempt Plan” from Miller’s that could allow it (or its employees, agents, or assigns): (a) to operate under the Poultry Act’s exemption provisions for poultry operations, as specified in implementing regulations at 9 C.F.R. §§ 381.10(a)(4), (a)(5), (a)(6), or (a)(7); or (b) otherwise to produce poultry products marked as “Exempt P.L. 90-492.” Safian Decl. at ¶ 31.

36. Even if (contrary to fact) Miller’s had received such approval for exempt operations, the July 22, 2021 Contempt Sanctions Order prohibited Miller’s and its employees and agents from conducting exempt poultry or livestock operations until all existing Miller’s poultry and meat inventory were first fully liquidated or destroyed, which still has not occurred. July 22, 2021 Order at ¶ 117; Safian Decl., ¶¶ 30, 32.

37. When, on September 8, 2021, FSIS asked Mr. Miller questions about the investigators' observations that day and about related records, products, inventory, labeling, and other enforcement matters, Mr. Miller responded "I'll need to speak to my attorney" and did not make any records available. Ronczka Decl. at ¶ 25.

38. On that date, at Miller's 648 Property, an FSIS investigator affixed U.S. Detained Tags to approximately: (a) 14,110 pounds of FSIS-observed frozen chicken and turkey products (Tag Nos. 0909 to 0921); and (b) 450 pounds of FSIS-observed fresh chicken products (Tag Nos. 0899 to 0900). An investigator handed copies of two related FSIS Notices of Detention to Mr. Miller, which he refused to sign. Ronczka Decl. at ¶¶ 24, 26.

39. In the meantime, when FSIS asked Mr. Miller for permission to access Miller's 672 Property's buildings, he responded that: (a) he had a "tenant" at that property (whom he did not name); and (b) FSIS could not enter any of those buildings. When FSIS advised Mr. Miller that such a denial of access would violate the Court's orders, he persisted in refusing access. Flanagan Decl. at ¶¶ 28–29.

40. FSIS therefore served Mr. Miller with a subpoena duces tecum seeking access to facilities at Miller's 648 Property and Miller's 672 Property as well as relevant records, including those related to Bird in Hand Meats, Olde Tyme, and operations at Miller's 672 Property. Flanagan Decl. at ¶¶ 30–31, Ex. A (Subpoena Duces Tecum), Ex. B (Subpoena Return of Service).

41. Sometime later that day, an FSIS investigator received a call from an FSIS supervisor stating that, through counsel, Mr. Miller had: (a) assented to FSIS accessing Miller's 672 Property; (b) advised that "David Lantz" was the "tenant" at Miller's 672 Property; and (c) provided a contact phone number for Mr. Lantz. Flanagan Decl. at ¶ 33.

42. FSIS investigators then entered the non-refrigerated semi-trailer at Miller's 672 Property where they had earlier seen a Miller's employee cutting up fresh poultry products. Flanagan Decl. at ¶ 34.

43. At that time, the same Miller's employee was still cutting up and packaging fresh poultry products in the semi-trailer, where the investigators observed various fresh poultry products and offal in tubs and crates. Some of the poultry parts were loose, while others were in bags with Bird in Hand Meats labeling that was marked "EXEMPT P.L. 90-492." Flanagan Decl. at ¶¶ 35–36.

44. The investigators then entered a large barn next to that semi-trailer. There, they observed: (a) poultry slaughtering/processing equipment, some of which appeared to be new; (b) fresh blood and poultry feathers on the floor and in and on a blue barrel; and (c) a USPS shipping box that had contained poultry processing supplies addressed to Miller's 648 Property. Flanagan Decl. at ¶¶ 37–38.

45. The FSIS investigators then entered a different (refrigerated) semi-trailer at Miller's 672 Property. There, they observed approximately 26 plastic crates of various fresh, recently prepared poultry products, all of which were in retail-sized packages, with Bird in Hand Meats labeling that was marked "EXEMPT P.L. 90-492." Flanagan Decl. at ¶ 39.

46. At no time during FSIS's visit to Miller's 672 Property on September 8, 2021 did David Lantz—whom Mr. Miller had identified as the property's "tenant"—appear or make himself or his records available to FSIS. Nor did anyone else connected to Miller's or the 672 Property, in response to FSIS's inquiries and subpoena: (a) explain or provide records bearing on the origin or production of poultry products located at that property; or (b) provide information about products

that were marked as “EXEMPT P.L. 90-942” in order to show that they were in fact produced in accordance with any poultry exemption. Flanagan Decl. at ¶ 40.

47. On that date, FSIS therefore affixed U.S. Detained Tag Nos. 129148 to 129140 to approximately 780 pounds of various fresh chicken products that FSIS had found in crates in the refrigerated semi-trailer on Miller’s 672 Property. An FSIS investigator also gave a Miller’s employee at the property a related Notice of Detention, which the employee refused to sign. At that point, the investigator drove back to Miller’s 648 Property and handed Amos Miller a copy of the Notice of Detention. Flanagan Decl. at ¶¶ 42–43.

48. The investigator explained to Mr. Miller that the products had been detained because: (a) no one was onsite at Miller’s 672 Property to explain—or to provide records concerning—the products’ origin(s) or production(s); and (b) FSIS had reason to believe that the products were derived from birds slaughtered without federal inspection and/or were misbranded in violation of the Poultry Act. When the investigator asked Mr. Miller numerous follow-up questions, Mr. Miller stated only “you need to speak to my attorney,” and did not make any records available. Flanagan Decl. at ¶¶ 43–44.

FSIS’s Interview of David Lantz

49. During telephonic and in-person interviews on September 13, 21, and 29, 2021, David Lantz (“Mr. Lantz”), whom Mr. Miller had referred to as his “tenant” at Miller’s 672 Property, told FSIS that:

- a. He had begun working for Mr. Miller at Miller’s 648 Property around November 2020;
- b. His duties there included assisting with the slaughter and processing of livestock and poultry;

c. Sometime in August 2021, Mr. Miller told Mr. Lantz that Miller's was not allowed to slaughter at Miller's 648 Property's facilities, so Mr. Miller asked Mr. Lantz about his interest in helping to start a new poultry (chicken and turkey) slaughter and processing operation at Miller's 672 Property;

d. Mr. Miller then provided for that purpose: (i) at Miller's 672 Property, a large barn, multiple smaller structures, various new and used poultry slaughter/processing equipment, and various refrigerated/non-refrigerated semi-trailers; and (ii) at Miller's 648 Property a refrigerated semi-trailer for storage of related meat and poultry products;

e. Mr. Miller paid for all of the trailers and equipment used in the operation, which included new equipment;

f. Mr. Lantz was unaware of any written rental/lease agreement between Mr. Miller and him;

g. Mr. Lantz had not paid any rent for Miller's 672 Property's facilities or for storing product at Miller's 648 Property;

h. In mid-August 2021, Mr. Miller advised Mr. Lantz to contact Kenny Wu ("Mr. Wu") at the "Bank of Bird in Hand" about getting a business loan;

i. Shortly thereafter, Mr. Wu visited Mr. Lantz at Miller's 672 Property, to discuss a loan;

j. Mr. Wu also helped Mr. Lantz, as "owner," file with the Pennsylvania Secretary of State a Fictitious Name entry for "Bird in Hand Grass Fed Meats," which Mr. Wu said was a condition of applying for/receiving a business loan;

k. Mr. Lantz signed loan papers in Mr. Wu's presence at Miller's 672 Property on September 20, 2021;

l. Mr. Lantz could not identify the loan's borrower, the loan amount, details about repayment of the loan, or whether Mr. Miller or anyone co-signed the loan or provided collateral to secure it;

m. Mr. Lantz was unsure whether he received a copy of the signed loan papers and was unable to produce a copy to FSIS; and

n. From late 2020 until at least September 20, 2021 (which was weeks after FSIS's new investigation became known to Mr. Miller), Mr. Lantz had been continuously employed by (and received a regular paycheck from) Miller's. Flanagan Decl. at ¶¶ 46–54.

50. Earlier, during his testimony at a contempt hearing in this case, Mr. Miller had referred to Mr. Lantz as the individual responsible for overseeing Miller's operations at Miller's 648 Property (*i.e.*, at the main Miller's farm) and for keeping its records. *See* Tr. of June 16, 2021 Hr'g at 68:1-12 ("Q. Do you have any records . . . showing the number or the kind of animals that you slaughter and process at your facility? . . . A. I'd have to check with David. Q. Who is David? He runs the workers that just started working there? Q. When did he start? A. Hmm, I'm not exactly sure."); *id.* at 71:14-25 ("A. I just oversee, I don't manage the things from day to day. Q. Who oversees that? A. David does. Q. What's David's last name? A. Lance [sic]."); *id.* at 80:6-9 ("Q. And you mentioned the slaughter book. . . . [Y]ou testified that . . . was it David Lance [sic], is he the one that keeps the . . . notes? A. Yes."].).

51. Among the records that Mr. Lantz provided to FSIS during those interviews in September 2021 were a Slaughter Log (notebook)—which he said accurately reflected poultry slaughtering/processing activities at Miller's 672 Property—and approximately 16 invoices (dated August 9, 2021 through September 16, 2021) from various vendors and suppliers for, among other

things: (a) multiple purchases of live amenable animals; (b) animal hauling; and (c) new slaughter and/or processing equipment. Flanagan Decl. at ¶¶ 55–56.

52. Of the 16 invoices that Mr. Lantz provided, seven are for live amenable animal purchases (for chickens, turkeys, beef, and hogs) and are marked “paid.” Mr. Lantz told FSIS that Mr. Miller paid five of those invoices (totaling over \$45,000) to individuals and farms that FSIS knows Miller’s had been using as poultry and livestock suppliers before entry of the July 22, 2021 Contempt Sanctions Order. Two of the invoices, which Mr. Lantz said Mr. Miller paid, were for new slaughter and processing equipment totaling nearly \$24,000 that was purchased on August 9, 2021 and September 9, 2021. Flanagan Decl. at ¶ 55.

53. The Slaughter Log of poultry slaughtering/processing activities at Miller’s 672 Property shows that Mr. Miller purchased nearly all of a total of 1,324 amenable chickens and turkeys (10,284 pounds) that Miller’s employees slaughtered/processed—using equipment that Mr. Miller paid for—at Miller’s 672 Property on a weekly basis beginning on or about August 10, 2021. Flanagan Decl. at ¶ 56.

54. As reflected in the Slaughter Log as of the date that Mr. Lantz shared it with FSIS, the following quantities of poultry were slaughtered at Miller’s 672 Property on the following dates: (a) on August 10, 2021, 271 chickens and 50 turkeys; (b) on August 17, 2021, 310 chickens; (c) on August 23, 2021, 50 chickens and 110 turkeys; (d) on August 31, 2021, 336 chickens; and (e) on September 7, 2021, 197 chickens. Flanagan Decl. at ¶ 56.

55. Mr. Lantz told FSIS that Mr. Miller paid Miller’s employees, including Mr. Lantz, for the slaughter and processing activities that occurred at Miller’s 672 Property on those dates, after Mr. Lantz had notified the employees to come to the 672 Property. Flanagan Decl. at ¶ 57.

56. Despite FSIS's service of its subpoena duces tecum on Mr. Miller on September 8, 2021, FSIS still has not received—from Mr. Miller, Miller's, or their agents, including Mr. Lantz—information or records sufficient to show that poultry products that FSIS detained at Miller's 672 Property and Miller's 648 Property on September 8, 2021 are not in violation of the Poultry Act or related regulations. Safian Decl. at ¶ 42.

57. Those products remain under FSIS detention. In accordance with a tolling agreement that the defendants' counsel and the United States entered into on September 23, 2021, the detained products have not yet been arrested. The products detained on September 8, 2021 are separate from those previously arrested in *United States of America v. (1) 1,576 Lbs., More or Less, of Poultry Carcasses; (2) 274 Lbs., More or Less, of Chicken Feet, Heads, Livers, Gizzards, and Carcass Trimmings; (3) 650 Lbs., More or Less, of a Beef Carcass and 2 Beef Heads; and (4) 600 Lbs., More or Less, of Hog Carcasses*, an *in rem* action that remains pending in this court at Docket No. 21-cv-2638 (hereafter referred to as “the Second Condemnation Action”).

Raising Funds for Miller's through “gofundme” sites

58. The United States has noted that, shortly after the court (on July 22, 2021) ordered the defendants to pay a \$250,000 contempt fine, Mr. Miller and his agents began raising—through “gofundme” internet campaigns—funds to help Mr. Miller satisfy that payment. *See, e.g.*, <https://www.gofundme.com/f/hwd4x-help-save-our-farm-food> (noting, when last accessed on Dec. 30, 2021, that \$56,891 of \$50,000 goal had been raised); <https://www.gofundme.com/f/help-amos-miller-save-our-traditional-foods> (noting, when last accessed on Dec. 30, 2021, that \$82,100 of \$75,000 goal had been raised).

FSIS's Investigation of October 2021 Shipments

59. On October 6, 2021, as part of FSIS's follow-up investigation, FSIS investigators visited Root Network, LLC ("Root"), a trucking/transportation firm located in Lancaster, Pennsylvania. Root's owner told FSIS that his company regularly transports pallets of foodstuffs from Miller's 648 Property to various local commercial carrier terminals for further transport to final destinations throughout the United States. Invoices that Root shared with FSIS show payment to Root with Miller's Organic Farm checks, and related records show shipments from "Miller's Organic Farm" to Miller's agents' food clubs and other customers throughout the United States. Flanagan Decl. at ¶¶ 59–63; Ronczka Decl. at ¶¶ 33–34.

60. On October 13, 2021, FSIS served subpoenas duces tecum on six of Miller's food club agents, including NC Farm Fresh Foods in Raleigh, North Carolina and Moo To You in Chuluota, Florida. Suppl. Decl. of Scott C. Safian, FSIS's Director of Enforcement Operations Staff ("Suppl. Safian Decl.") at ¶ 5, Doc. No. 131.

61. One of the commercial carrier terminals to which Root transports deliverables for further transportation is the terminal for CF Logistics in Toughkenamon, Pennsylvania. Flanagan Decl. at ¶ 59; Ronczka Decl. at ¶ 33.

62. On October 21, 2021, FSIS investigators visited CF Logistics to inquire about an anticipated Miller's shipment to My Healthy Food Club, which is run by one of Miller's agents in Miami, Florida. Ronczka Decl. at ¶¶ 34, 36.

63. At that time, CF Logistics' President told FSIS that: (a) Miller's had hired his company to transport three pallets of "DAIRY, CHEESES, MEATS" to My Healthy Food Club on October 23, 2021; and (b) CF Logistics would permit FSIS to examine the Florida-bound

shipment on October 23 once it arrived at CF Logistics (via Root's delivery from Miller's 648 Property) for temporary storage. Ronczka Decl. at ¶¶ 36–39.

64. Accordingly, on October 23, 2021, FSIS employees went to CF Logistics and were shown the Miller's shipment of three shrink-wrapped pallets addressed from "Miller's Organic Farm's" 648 property address to My Healthy Food Club. Ronczka Decl. at ¶¶ 40–42.

65. During that visit, FSIS examined approximately 20 randomly selected boxes within the shipment. Each was identified on the outside with the name of a Miller's individual customer. Inside each box was a sales invoice for the individual customer. One such invoice described a fresh (not frozen) veal product that had been packed on October 22, 2021. FSIS observed that product and concluded that it had been recently prepared. Ronczka Decl. at ¶¶ 44–45.

66. Six of those examined boxes contained meat, meat food products, and/or poultry products. None of the products bore a USDA mark of inspection. Ronczka Decl. at ¶ 46.

67. As a follow-up to FSIS's observation of the fresh veal product, an FSIS investigator contacted Olde Tyme Meats, LLC, in Chambersburg, Pennsylvania, and Belmont Meats, LLC, in Paradise, Pennsylvania, both federal establishments that Miller's had used to slaughter livestock. FSIS asked those establishments if they had performed veal slaughter activities for Miller's or its agents on or around October 22, 2021, or other dates. Both establishments reported no recent veal slaughter activities for Miller's. In fact, the representative from Olde Tyme said that his establishment had not slaughtered any veal for Miller's to date. Ronczka Decl. at ¶ 50.

FSIS's Investigation of November 2021 Shipments

68. On November 10, 2021, FSIS learned from CF Logistics' President: (a) about an upcoming Miller's shipment to Miller's food club agent NC Farm Fresh Foods of Raleigh, North Carolina; and (b) that CF Logistics would allow FSIS briefly to examine the shipment upon its

delivery to CF Logistics the next afternoon. Suppl. Decl. of FSIS Investigator Paul J. Flanagan (“Suppl. Flanagan Decl.”) at ¶¶ 7–8, Doc. No. 130.

69. Accordingly, FSIS investigators visited CF Logistics on November 11, 2021 and observed that the shipment: (a) was on two pallets addressed from the 648 property address for “Amos Miller Organic Farm” to the Raleigh Farmer’s Market in Raleigh, North Carolina; (b) was due to arrive in Raleigh the following day; and (c) included a box of invoices that corresponded to the contents of the other boxes on the pallets and that stated ordering member-customers’ information, order dates, the drop-off location, a direction to “make checks payable to Miller’s Organic Farm,” and a list of ordered/purchased Miller’s products. Suppl. Flanagan Decl. at ¶¶ 9–14; Decl. of April E. Humbles (“Humbles Decl.”) at ¶ 7, Doc. No. 132.

70. Because CF Logistics placed a time limitation on FSIS’s review of the shipment, FSIS focused on six boxes that corresponded to invoices noting meat and/or poultry contents. FSIS observed that: (a) many of the meat and poultry product contents lacked USDA marks of inspection; (b) many of the poultry product contents bore “Bird in Hands Meats” labeling that included the mark “Exempt P.L. 90-492”; (c) many of the meat product contents bore “Bird in Hand Meats” labeling along with Olde Tyme Meats’s USDA mark of inspection; and (d) a packed liverwurst product showed a “packed on” date of August 20, 2021. Suppl. Flanagan Decl. at ¶¶ 14–16.

71. The following day, November 12, 2021, an FSIS investigator located the shipment in a warehouse behind the Raleigh Farmer’s Market in Raleigh, North Carolina. Humbles Decl. at ¶¶ 8–9.

72. When NC Farm Fresh Foods’s manager/operator arrived there to help distribute the shipment to his food club members, he agreed to allow the FSIS investigator to examine the

contents of the one shipment box that had the manager's name on it (which he said he had ordered and purchased from Miller's around November 8, 2021) after his club's members had picked up their ordered boxes and loaded remaining boxes into vehicles for transport to local pick-up locations. Humbles Decl. at ¶¶ 10–11, 14.

73. When the manager opened his box, the FSIS investigator observed that it contained two packages of ground turkey and two packages of chicken wings, all bearing "Bird in Hand Meats" labeling with the mark "Exempt P.L. 90-492," but no USDA mark of inspection. Humbles Decl. at ¶¶ 12–15, 18.

74. The food club manager told the FSIS investigator that, for ordered Miller's products, his club's members give him either cash or checks payable to "Amos Miller" or "Miller's Organic Farm," which he then sends to Mr. Miller. Humbles Decl. at ¶ 16.

75. On November 14, 2021, that manager—in response to FSIS's October 13, 2021 subpoena duces tecum to his food club—sent approximately 162 redacted invoices/orders to FSIS, with a date range of June 23, 2021 to September 14, 2021, all of which included the statement "MAKE CHECK'S [sic] PAYABLE TO: 'Miller's Organic Farm.'" Of those invoices and related product orders, 93 referenced at least one meat or poultry product and, of those, 60 had order dates after the July 22, 2021 date of the court's Contempt Sanctions Order. Suppl. Safian Decl. at ¶¶ 5–7.

76. On November 17, 2021, the President of Mario Cutone Mushrooms, Inc. of Avondale, Pennsylvania—a company that packs and distributes mushrooms—advised FSIS that he had a Miller's shipment at his firm, which FSIS (along with a representative of the Pennsylvania Department of Agriculture) proceeded to examine that evening. Suppl. Flanagan Decl. at ¶¶ 21–24.

77. FSIS observed that shipment: (a) to be addressed from Miller's 648 Property's address to a recipient in Carlisle, Massachusetts; (b) to include two styles of invoices identifying meat and poultry products, with the first such type of invoice stating "Make payable to: Miller's Organic Farm, Private Membership Association, 648 Mill Creek School Road, Bird in Hand, PA"; and (c) to include at least one meat or poultry product in approximately 10 of the 40 boxes that FSIS examined. Among the meat products, only the ground beef and ground pork products bore a USDA mark of inspection (on products labeled as "Bird in Hand Meats" products that Olde Tyme Meats had processed). Of the poultry products that were labeled (some were unlabeled), some had "Bird in Hand Meats" labeling and a reference to "Exempt P.L. 90-492." Suppl. Flanagan Decl. at ¶¶ 25–27, 29–30.

78. The second style of invoices that identified meat or poultry products: (a) reflected orders made through www.farmmatch.com (which is a Miller's vendor); and (b) appeared to be faxed by a Miller's agent (Groff) who handles Miller's electronic transactions. One such invoice refers to a fresh, non-frozen, amenable turkey product that did not bear a USDA mark of inspection. Suppl. Flanagan Decl. at ¶ 28.

79. A Pennsylvania Department of Agriculture representative detained that entire Miller's shipment at Mario Cutone Mushrooms, Inc. on the evening of November 17, 2021. Suppl. Flanagan Decl. at ¶¶ 33–34.

80. On November 26, 2021, Florida-based food club Moo to You responded to FSIS's October 13, 2021 subpoena with a production of 33 invoices/orders between Miller's and that club. Each invoice or order identified the ordering club member and referenced the purchase/order of at least one Miller's meat or poultry item. The date range for the orders was from July 14, 2021 to November 3, 2021. Suppl. Safian Decl. at ¶¶ 8–9.

Failure to Conduct a Product Inventory

81. Under the July 22, 2021 Contempt Sanctions Order (Doc. No. 105 at ¶ 102), Miller's was required to submit to FSIS, within 20 days, the name and credentials of a *qualified, independent third party* whom Miller's intended to retain in order to conduct an inventory of all meat and poultry located at Miller's facilities, as follows:

Required Completion of Independent Inventory Within 60 Days

102. Within 20 calendar days of the entry date of this Order, defendants must submit to FSIS, for review and concurrence, the name and credentials of a *qualified, independent third party* whom defendants intend to retain to conduct a detailed, written inventory of all meat and poultry (defined as all carcasses, parts, and products, whether or not packaged) that are located at Miller's facilities. As used in this Order, "qualified, independent third party" means a person or entity that: (a) has experience, expertise, and familiarity in or with conducting such an inventory, as demonstrated through education, work experience, training, or industry certification; (b) is not a current or former owner, manager, or employee of Miller's Organic Farm; and (c) is not related (through familial ties or financial connection) in any way to Amos Miller's family or Amos Miller's business or business agents.

82. On August 4, 2021, FSIS received from Miller's the name of such a third party, George Lapsley, whom FSIS approved on the same day. But, three weeks later, on August 26, Miller's counsel advised FSIS that Miller's was unable to contract with Mr. Lapsley. Safian Decl. at ¶¶ 9–11.

83. On September 5, 2021, Miller's wrote to FSIS with the name of another candidate to conduct the inventory—a dairy farmer who sells raw milk to Miller's. The next business day, FSIS asked Miller's to provide more details about the individual's relevant experience. Safian Decl. at ¶¶ 15–16.

84. On September 14, 2021, Miller's provided additional information about its proposed candidate. FSIS promptly responded by email and during a phone conference that the

individual did not meet the Contempt Sanctions Order's requirements because he lacked the necessary experience and was not financially independent of Miller's. Safian Decl. at ¶¶ 17–19.

85. On October 7, 2021, Miller's proposed to FSIS the name of a third candidate to conduct the inventory, but did not provide any information about the individual. Later that day, Miller's counsel promised to provide additional information about the individual to FSIS, but FSIS has heard nothing since from Miller's about this individual or any other candidate. Safian Decl. at ¶¶ 20–23.

86. Under the Contempt Sanctions Order, the defendants were required to contract with an FSIS-approved, qualified, independent third party within 40 days of the order (*i.e.*, by August 31, 2021) and to submit a completed inventory to FSIS within 60 days of the date of the order (*i.e.*, by September 20, 2021). July 22, 2021 Order at ¶¶ 103, 105. The defendants failed to meet those deadlines.

87. FSIS has repeatedly stressed in this litigation the importance of a properly conducted inventory that will enable FSIS to track animals and products going in and out of Miller's meat-and-poultry operations.

88. The court explicitly rejects and finds not credible Miller's excuses for failing to meet the order's inventory deadlines. The court agrees with the government that those excuses are undermined by FSIS's and the court's findings of illegality described above that began occurring almost immediately after the court's entry of the Contempt Sanctions Order.

Premature Liquidation of Products

89. As noted, the July 22, 2021 Contempt Sanctions Order contemplated that, by September 20, 2021, Miller's would have submitted an inventory to FSIS from a qualified, independent third party.

90. The Contempt Sanctions Order accordingly provided that “Miller’s may, within 90 days of the entry date of this Order”—that is, by October 20, 2021, which would be a month after the completed inventory was submitted—“liquidate its existing inventory of consumer-packed, non-seized, frozen amenable meat and poultry products. (These frozen articles are separate from the seized articles that are the subject of the Second Condemnation Action.)” July 22, 2021 Order at ¶ 109.)

91. The defendants have known (because consistent with their discussions with FSIS and with FSIS’s testimony during the contempt hearings) that the parties intended that Miller’s would not liquidate/sell/distribute non-seized frozen meat and poultry products that were in existence at the time of the Contempt Sanctions Order until the required inventory was completed. Any other sequence would not make sense because, without a baseline inventory, FSIS would be unable to track the products that Miller’s was liquidating and would be unable to assess whether the liquidation complied with the court’s orders. Safian Decl. at ¶¶ 16, 18, 21, 26; *see also* Tr. of June 23, 2021 Contempt Sanctions Hr’g at 48:1:5 (Testimony of Scott Safian: “If we could get that inventory down to zero, then I think, that will allow the agency to understand that any products being produced and sold going forward are, either being slaughtered by Miller or properly slaughtered at a federal plant.”); Tr. of Aug. 25, 2021 Telephonic Hr’g at 34:5 to 35:4, 36:5-22, and 37:1-18 (Safian testimony that the Consent Sanctions Order language was proposed as a “step-wise process” and was “particularly crafted to ensure that (pre-inventory liquidation) did not occur,” and Miller’s counsel conceding that those were the parties’ intentions).

92. But on August 24, 2021—a month before Miller’s inventory was due—Mr. Miller informed FSIS that he had already begun liquidating his existing, non-seized, frozen meat and poultry inventory. Safian Decl. at ¶ 25; Flanagan Decl. at ¶ 10.

93. On August 30, 2021 and September 15, 2021, the defendants' attorneys informed FSIS that they would provide the government with a letter from Mr. Miller promising that such liquidation would cease until FSIS had verified Miller's inventory. Safian Decl. at ¶ 27.

94. The government states that to date, however, despite reminders to the defendants, the government has not received any such letter and is not aware of any evidence that shows that Miller's has ceased such liquidation pending compliance with the Contempt Sanctions Order's inventory requirements. Safian Decl. at ¶ 28.

FSIS's Relevant Investigative/enforcement costs

95. FSIS's investigative and enforcement costs total \$55,065.72 for the period between August 23, 2021 (shortly after the defendants moved to alter or amend their \$250,000 civil contempt fine on grounds that they were in substantial compliance with the court's orders) and the December 16, 2021 contempt hearing. 2d Suppl. Decl. of Scott Safian and spreadsheet attached thereto, Doc. Nos. 135, 135-1.

CONCLUSIONS OF LAW

96. Under the Meat and Poultry Acts and the court's general equity power, continuing subject-matter jurisdiction exists over enforcement of the Injunction Order. Injunction Order at ¶ 32 ("The court retains jurisdiction to issue further decrees and orders[.]").

97. As the court has found above, Mr. Miller has used his agents and employees to violate the court's orders (including the July 22, 2021 Contempt Sanctions Order) and the Meat and Poultry Acts.

98. Although Mr. Miller has suggested that he plans to cease operations under the name "Miller's Organic Farm," such a name change will not affect the reach of the Injunction Order and the court's subsequent orders, which: (a) bind not just Mr. Miller and Miller's but also all of their "officers, agents, servants, and employees, as well as other persons who are in active concert or participation with them" Nov. 19, 2019 Order at ¶ 25; and (b) expressly continue to apply to Mr. Miller's operations regardless of how the operating entity is structured or named, as well as to any persons or entities to whom or to which defendants' interests are transferred or assigned. *Id.* at ¶ 26.

99. The United States' and the public's interests in food safety (as expressed in congressional findings and the Acts) will be irreparably injured absent further injunctive relief (as ordered below) to enforce the court's orders. The defendants' interests do not countervail those interests.

100. There is a cognizable danger that, based on defendants' past and continuing conduct, they will, unless restrained by further order of this court, continue to violate the Acts.

101. A party seeking a civil contempt order (such as the United States here) must establish that: (a) a valid court order existed; (b) the allegedly defiant party had knowledge of the

order; and (c) the party disobeyed the order. *See, e.g., Harris v. City of Phila.*, 47 F.3d 1311, 1326 (3d Cir. 1995).

102. The United States must prove these three elements with clear and convincing evidence, and any ambiguities must be resolved in favor of Mr. Miller and his farm. *Robin Woods Inc. v. Woods*, 28 F.3d 396, 399 (3d Cir. 1994).

103. The United States has carried that burden.

104. In response, the defendants have not genuinely disputed: (a) the validity of the Injunction Order, Consent Decree, and Contempt Sanctions Order; (b) that Mr. Miller—who has admitted that Miller’s Organic Farm is his alter ego—had knowledge of those orders; and (c) that the defendants, their employees, and their agents have engaged in conduct, as set forth in the findings above, that violated the Meat Act, the Poultry Act, the Injunction Order, the Consent Decree, and the Contempt Sanctions Order and that began almost immediately after entry of the Contempt Sanctions Order.

105. The burden thus shifted to the defendants to show why they were unable to comply with the orders. *See, e.g., United States v. Baker Funeral Home, Ltd.*, 196 F. Supp. 3d 530, 549 (E.D. Pa. 2016). A lack of willfulness in committing the violations is no defense, however, because willfulness is not an element of civil contempt. *Id.* Regardless, the court finds that the defendants here, far from acting in good faith, have repeatedly acted in bad faith.

106. The defendants have persistently disobeyed the court’s Injunction Order, Consent Decree, and Contempt Sanctions Order: (a) in ways that are not merely technical or inadvertent; (b) despite compliance with the orders being both required and feasible; and (c) despite FSIS continually offering to assist Mr. Miller in coming into compliance.

107. For example, in violation of the Acts, the Injunction Order, the Consent Decree, and the Contempt Sanctions Order, the defendants and/or their employees or agents on multiple dates beginning in early August 2021 (within days after entry of the Contempt Sanctions Order, and after the court warned Mr. Miller not to engage in slaughtering or other prohibited activity in a “hidden way”) slaughtered and at least partially processed, without federal inspection, amenable chickens and turkeys that were capable of use as human food, for the purpose of selling and offering for sale poultry products in commerce to Miller’s buyers’ club members.

108. Mr. Miller’s actions were precisely the sort of hidden illegality that the court had warned him to avoid. His actions evince a conscious, orchestrated effort to circumvent the court’s orders and FSIS’s regulatory authority by moving his prohibited poultry slaughtering operations to his adjoining farm (where he had not previously engaged in such operations) using a different business name (Bird in Hand Meats), and by sending his livestock and hogs to a federally inspected facility that he had not previously used—all in violation of the Contempt Sanctions Order and without knowledge of the court, FSIS, or even his own counsel.

109. At least a portion of the poultry products that the defendants illegally slaughtered after entry of the court’s Contempt Sanctions Order were misbranded, in violation of the Poultry Act, because they lacked accurate “federally inspected” labeling and other language that is required for commercially sold poultry products.

110. Through these and other violations (further discussed below), the defendants’ continuing failures and refusals to comply with the court’s Injunction Order, the Consent Decree, the Contempt Sanctions Order, and the Acts have flouted this court’s authority and the rule of law and have impaired and will continue to impair the USDA’s and FSIS’s ability to carry out Congress’s directive that they ensure food safety, protect the public health, keep uninspected and

misbranded meat and poultry products out of the marketplace, and ensure a competitive, level playing field for all producers/processors.

111. The defendants' continuing failures and refusals to comply with this court's Injunction Order, the Consent Decree, the Contempt Sanctions Order, and the Acts have needlessly caused FSIS investigators to return multiple times to Miller's in unsuccessful efforts to bring the defendants into compliance, and have caused FSIS and USDA to incur related, unnecessary costs.

112. "Sanctions for civil contempt are 'penalties designed to compel future compliance with a court order, are considered to be coercive and avoidable through obedience, and thus may be imposed in an ordinary civil proceeding upon notice and an opportunity to be heard[.]'" *Beautyman v. Laurent*, No. 17-cv-5804, 2021 WL 1238717, at *3 (E.D. Pa. Apr. 2, 2021) (citing *Int'l Union, United Mine Workers v. Bagwell*, 512 U.S. 821, 827 (1994)).

113. Civil contempt sanctions: (a) "may include fines, incarceration or a reimbursement of costs incurred while seeking to obtain compliance"; and (b) may also be used "to compensate for losses sustained by the disobedience," which can include putting the moving party, such as USDA FSIS here, in the "position it would have been in had" Mr. Miller "done what the Court ordered him to do." *Beautyman*, 2021 WL 1238717, at *3–4 (citing *Robin Woods Inc.*, 28 F.3d at 400).

114. The court allowed the defendants to be heard at the December 16, 2021 contempt hearing, and to be heard on appropriate sanctions at the February 4, 2022 hearing. The court also gave the defendants an opportunity to respond to the United States' proposed findings of fact, conclusions of law, further injunction provisions, and sanctions order.

115. Upon consideration of the parties' evidence and arguments, the court concludes that the following: (a) further injunctive provisions are necessary to enforce the defendants'

compliance with the court's orders and the Acts; and (b) civil contempt sanctions are necessary to deter the defendants' future violations and to attempt to bring them into compliance with the court's orders.

FURTHER INJUNCTIVE PROVISIONS

116. The court-appointed expert shall oversee, monitor, and report to the court and the parties on the defendants' compliance with the following injunction and enforcement provisions.

117. The defendants are enjoined: (a) to maintain compliance with the Meat Act, the Poultry Act, the November 2019 Injunction Order, the April 2020 Consent Decree, the July 2021 Contempt Sanctions Order, and this order; (b) fully to cooperate with and respond to (including through providing immediate and responsive access to facilities, records, employees, and other staff members) not only any FSIS investigation, inquiry, review, or examination of the defendants' compliance, but also any of the court-appointed expert's activities or inquiries; and (c) to permit the court-appointed expert to engage in both formal and informal conferences (including confidential or group interviews) with employees and staff members.

Cessation of Meat and Poultry Operations/Activities

118. Consistent with the court's previous injunction enforcement orders (which remain fully in effect), until further order of the court permitting any such activities to resume, and except as otherwise provided below in paragraphs 132 to 140 regarding limited, permissible, future liquidations, the defendants and their agents, employees, transferees, and assigns are enjoined and ordered, effective immediately, to cease and to desist from:

a. Engaging in amenable livestock/poultry slaughter and/or processing operations (including "exempt" operations), including at Miller's 648 Property, Miller's 672 Property, or any other location that is owned, leased, used, and/or contracted for by Mr. Miller, his

wife, Miller's, Amos Miller Organic Farm, Bird in Hand Grass Fed Meats, Bird in Hand Meats, any successor in interest, or their agents, employees, or assigns;

b. Engaging in distribution, shipping, offers for sale, or sales of amenable meat or poultry products;

c. Taking, sending, or having sent/delivered, for the purpose of slaughter and/or processing, any amenable animals to Belmont Meats, LLC, Olde Tyme Meats, LLC, or any other federally inspected or non-federally inspected slaughter and/or processing establishment, facility, or individual;

d. Purchasing, handling, and/or receiving any live amenable livestock or poultry intended for slaughter;

e. Purchasing, handling, storing, and/or receiving any amenable meat or poultry products for further processing and/or for resale, distribution, offer for sale, sale, donation, or distribution to customers; and

f. Taking in-person, internet, telephone, fax, email, or other orders—or acting on such orders—for amenable meat/poultry products of defendants or their agents (including but not limited to agents such as Miller's family members, Miller's-associated food clubs/vendors, Mr. Lantz, Miller's employees, or the Groff family).

Modifications to websites/Facebook page/Twitter account/Instagram account

119. Within ten days following entry of this order, the defendants and/or their agents are ordered and enjoined to:

a. Post an FSIS-approved, conspicuous statement on the front/main pages of: (i) Miller's, its agents', and any successor(s) in interest's websites (including but not limited to www.millersorganicfarm.com and <https://amosmillerorganicfarm.com>), even if the name of Miller's operation is changed; (ii) Miller's and any successor(s) in interest's vendor websites (including but not limited to www.farmmatch.com), even if the name of Miller's operation is changed; (iii) Miller's and any successor(s) in interest's Facebook page; (iv) Miller's and any successor(s) in interest's Twitter account; and (v) Miller's and any successor(s) in interest's Instagram account. This statement shall admit to Miller's recent violations and alert Miller's customers that, effective immediately and until further notice to the contrary, Mr. Miller and his related entities and agents are not permitted to produce, handle, sell, offer for sale, transport, or distribute amenable meat and poultry; and

b. Remove all references to the sale or availability of (and all photos of) amenable meat and poultry for sale, order, or purchase from all of the following: (i) Miller's, its agents', and any successor(s) in interest's websites; (ii) Miller's and any successor(s) in interest's vendor websites; (iii) Miller's and any successor(s) in interest's Facebook page; (iv) Miller's and any successor(s) in interest's Twitter account; and (v) Miller's and any successor(s) in interest's Instagram account.

Posting of statement on front door of Miller's retail store

120. Within ten days following entry of this order, the defendants are ordered and enjoined to: (a) display that same FSIS-approved statement (referred to in Paragraph 119(a),

above) prominently on the front door of the retail store at Miller's 648 Property and at any other sites or locations where Miller's (whether operating under the Miller's name or another name) meat and poultry products have been or are being sold; and (b) ensure that the statement remains prominently and legibly posted there until the court approves its removal.

Required Completion of Inventory Within 60 days

121. Effective immediately, the defendants and their employees, agents, and assigns are ordered and enjoined not to move any of Miller's amenable meat or poultry inventory—without advance notice to the court-appointed expert and FSIS, and without advance permission from FSIS—from that inventory's current locations (whether at Miller's 648 Property, Miller's 672 Property, or other sites) to any other location(s) for any purpose, including but not limited to the purposes of storage, freezing, processing, or distribution. This prohibition on Miller's moving of inventory applies: (a) to all businesses affiliated with Mr. Miller, his wife, their immediate family members, or their employees, agents, or assigns (*i.e.*, the prohibition applies, by way of example, not just to Miller's but also to Amos Miller Organic Farm, Bird in Hand Meats, Bird in Hand Grass Fed Meats, AB Farm LLC, Miller Camel Farm LLC, and Mill Creek Buffalo); and (b) to any successor businesses to these entities.

122. Within 30 days of the date of this order, the court-appointed expert shall arrange for the conducting of, or shall himself conduct, a detailed, written inventory of all meat and poultry (defined as all carcasses, parts, and products, whether or not finished, packaged, or labeled): (a) that are located at Miller's facilities (including but not limited to at Miller's 648 Property, Miller's 672 Property, or any other areas or sites that Mr. Miller, Miller's, Amos Miller Organic Farm, Mr. Miller's family, Bird in Hand Meats, Bird in Hand Grass Fed Meats, AB Farm LLC, Miller Camel Farm LLC, Mill Creek Buffalo, or any of their agents [including but not limited to Mr. Lantz] own

or lease); or (b) that defendants or their agents have taken to other locations for storage. These to-be-inventoried articles and products must include (but not be limited to) all such items that are currently: (a) under arrest (seized); or (b) under federal or Commonwealth of Pennsylvania detention.

123. The defendants are ordered and enjoined to disclose fully to the court-appointed expert and to FSIS—in writing, and within 15 days of the entry date of this order—the precise locations of all such to-be-inventoried articles and products, including not only their property addresses but also their exact locations on such properties (*i.e.*, describing the particular buildings, coolers, freezers, semi-trailers, etc. where the articles and products can be found).

124. The court-appointed expert shall send the completed written inventory—within 60 days of the entry date of this order—to USDA-FSIS’s Director of Enforcement Operations, by either email to scott.safian@usda.gov or facsimile to 202-260-0229.

125. Should the court-appointed expert arrange for someone other than himself to conduct the inventory, that individual shall be a qualified, independent third party, meaning a person or entity that: (a) has experience, expertise, and familiarity in or with conducting such an inventory, as demonstrated through education, work experience, training, or industry certification; (b) is not a current or former owner, manager, or employee of Miller’s or Bird in Hand Meats; and (c) is not related (through familial ties or financial connection) in any way to Mr. Miller’s family or Mr. Miller’s businesses or business agents.

126. At a minimum, the inventory must: (a) account for each article’s exact storage location (*e.g.*, “in main freezer at Miller’s 648 Property”); (b) account for each article by both species and product type (*e.g.*, “beef broth,” “chicken livers,” “pork and beef hot dogs,” “chicken pie,” “lamb roast,” “beef jerky,” “hog carcass,” etc.); (c) specify each article’s weight; (d) for any

article stored in a box or other container, specify the total number of boxes/containers containing the type of article (*e.g.*, 4 totes, 3 ½ boxes, ¼ barrel, 14 packages, etc.); and (e) specify if any such article has been or will be set aside for personal use by Mr. Miller or his family (within regulatory limits) and, if it is to be so set aside, also specify the amount and weight being set aside and the article's storage location.

127. When the inventory process begins, all articles at defendants' properties that are set aside for Mr. Miller's or his family's personal use must be so identified (*i.e.*, marked with a corresponding family member's name and "not for sale") and must be separated from all other inventoried product(s).

128. When the inventory process begins, and until FSIS directs to the contrary, defendants must: (a) clearly identify in some manner (*e.g.*, with permanent signage, stickers, or other identifiers) all articles accounted for in the inventory; and (b) segregate the inventory by species and cut (*e.g.*, beef must be stored separately from pork, ground beef must be stored separately from whole muscle beef, non-amenable species/products must be stored separately from amenable species/products, etc.).

129. The defendants must cooperate with the court-appointed expert's and FSIS's efforts to take and verify the inventory and must provide unimpeded access to the inventory, facilities, and related records. If required by the court-appointed expert or FSIS, the defendants must move and/or stage meat and poultry articles for ease of access and viewing.

130. Should the court-appointed expert report to FSIS that he is unable to perform the inventory or to have it performed in accordance with the foregoing requirements, FSIS may choose to conduct the inventory itself and, in that event, shall be reimbursed for its related costs up to

\$50,000, through disbursement from the contempt fine(s) that, as discussed below, the defendants are ordered to pay into the court's registry.

131. Unless and until FSIS verifies the inventory as provided for in the preceding paragraphs, the defendants and their agents may not in any way liquidate/distribute/relocate the amenable meat and poultry that are subject to the inventory process. Once FSIS verifies the inventory and notifies the defendants and the court-appointed expert in writing of Miller's full compliance with the preceding inventory requirements, liquidation will be permitted only as provided below.

Limited Liquidation Only After FSIS Verifies Inventory

132. Effective immediately, the defendants are ordered and enjoined not to liquidate any of their existing inventory of packaged or unpackaged non-seized, frozen or fresh, amenable meat and poultry products (or any other amenable meat and poultry products, including those that have been arrested in the Second Condemnation Action and those that FSIS detained on September 8, 2021): (a) unless and until the court-appointed expert and FSIS have completed and verified the inventory as discussed above; and (b) except subject to the following conditions.

133. The court-appointed expert shall strictly supervise any product liquidation and shall not permit any liquidation without FSIS verification and approval.

134. The court-appointed expert shall attempt to facilitate the parties' agreement on liquidation of articles that remain under arrest in the Second Condemnation Action as well as those that FSIS detained on September 8, 2021.

135. Any FSIS-approved/verified liquidation for sales to Miller's private membership association members shall be limited to direct sales to individual Miller's private membership association members, for their personal consumption (not for further sale or distribution), not to

exceed, per transaction, regulatory limits of 300 pounds of amenable beef products, 37.5 pounds of amenable calf products, 27.5 pounds of amenable sheep products, 100 pounds of amenable swine products, 25 pounds of amenable goat products, and 75 pounds of amenable poultry products.

136. Such shipments shall be delivered or shipped from Miller's to the individual purchaser and may not be resold or further distributed to any other person or firm.

137. Miller's must create and maintain—and make immediately available to FSIS and the court-appointed expert upon request—contemporaneous records documenting all such liquidation sale transactions and distributions, including, but not limited to: (a) incoming orders; (b) bills of sale; (c) invoices; (d) receiving and shipping papers; and (e) FedEx, UPS, and other commercial or private carrier transaction records.

138. The court-appointed expert shall be responsible for verifying that the defendants are creating and maintaining such records, as well as any other records that the Injunction Order, the Consent Decree, the Contempt Sanctions Order, and this order have required the defendants to maintain. *See, e.g.*, Injunction Order at ¶ 11.

139. Any products that FSIS approves/verifies for liquidation must be liquidated (*i.e.*, completely sold, distributed, or [when permitted] donated in accordance with this order and no longer on-site at Miller's or held at one of defendants' business associates' sites) **within 60 days of FSIS's approval/verification** (as required in paragraph 131, above) or they will be subject to destruction under FSIS's and the court-appointed expert's oversight.

140. For any products that FSIS approves/verifies for liquidation: (a) if the products have not been federally inspected, the defendants—consistent with FSIS policy—may not donate the products; and (b) if the products have been federally inspected and the defendants wish to donate

them (as approved by FSIS), donations must be limited to charitable institutions, food banks, or government-supported facilities (for example, correctional facilities, child welfare facilities, homes for senior populations, or similar qualifying institutions).

CIVIL CONTEMPT SANCTIONS

Violations of the Injunction Provisions Above

141. Should the court find that the defendants have failed to comply with any of the preceding injunction/enforcement provisions in this order (paragraphs 116 to 140), the defendants shall be obligated to pay into the registry of the court a \$5,000 civil contempt fine per day of violation. Any such fine will continue to be held in the court's registry until the court has determined that the defendants have remedied the non-compliance and are unlikely to engage in further, similar violations. Judgment for the fine amount shall bear interest at the federal statutory rate until satisfied.

FSIS's Investigative Costs

142. Although under the Injunction Order, the Consent Decree, and the Contempt Sanctions Order the government could seek reimbursement of the United States Attorney's Office's recent enforcement costs and USDA's Office of the General Counsel's recent enforcement costs in connection with this civil contempt proceeding, the United States is seeking only FSIS's August 23, 2021 to December 16, 2021 enforcement costs which, as found above, total \$55,065.72.

143. In order to effect the defendants' future compliance, the defendants are **ORDERED TO PAY** to the United States, within 30 days—and pursuant to written instructions that the United States will provide to the defendants—the sum of \$55,065.72 as a compensatory civil contempt sanction to reimburse FSIS's enforcement costs. If not timely paid, this judgment for the

\$55,065.72 amount shall bear interest at the federal statutory rate until satisfied. Should the defendants fail timely to make this payment, they shall face further monetary and other penalties, possibly including imprisonment of Amos Miller.

The \$250,000 Civil Contempt Sanctions Order Fine

144. Regarding the \$250,000 civil contempt sanctions fine that the court imposed on July 22, 2021 for Miller's pre-July 22, 2021 violations, the current record shows that Miller's arguments that resulted in a stay of the fine were based on a false narrative that ignored Miller's post-July 22, 2021, covert efforts to circumvent the court's orders through, for example: (a) illegal slaughtering at Miller's 672 Property of poultry intended for human consumption; and (b) sales, transportation, and offers for sale/transportation of non-federally inspected, misbranded poultry products.

145. In their motion seeking to alter or amend the fine, the defendants cited *Latrobe Steel Co. v. United Steelworkers of America, AFL-CIO*, 545 F.2d 1336 (3d Cir. 1976), for the proposition that coercive civil contempt sanctions should "set forth in advance the penalties the court will impose if the party deviates from the path of obedience." Defs.' Br. in Supp. of Their Mot. to Alter/Amend J. at p. 3 (also citing the *Latrobe* court's language that "A court may levy a fine of a specified amount for past refusal to conform to the injunction, conditioned, however, on the defendant's continued failure to obey"); *see also Latrobe Steel Co.*, 545 F.2d at 1344 ("[T]he methods that may be employed to coerce a recalcitrant party into compliance with an injunction are many and varied.").

146. The defendants also argued that the fine amount should account for the "character and magnitude of the harm threatened by the continued contumacy, and the probable effectiveness of any suggested sanction in bringing about the desired result." *See* Defs.' Mot. to Alter/Amend J.

at p. 4 ¶ 10 (citing *United States v. United Mine Workers of Am.*, 330 U.S. 258, 303–04 (1947)); *see also* Defs.’ Br. in Supp. of Their Mot. to Alter/Amend J. at pp. 2–3.

147. The defendants also suggested that courts properly consider a contemnor’s bad faith when determining an appropriate sanction. Defs.’ Mot. to Alter/Amend J. at p. 4 ¶ 11.

148. The defendants further expressed concern that the \$250,000 fine had “no nexus whatever to the defendants’ future conduct” because “nothing the defendants have done from July 22, 2021 forward, or will continue to do in the future, no matter how pleasing to the government and this Court, will get them out of paying the \$250,000 fine.” *See* Defs.’ Br. in Supp. of Their Mot. to Alter/Amend J. at p. 5 (citing *Int’l Union, United Mine Workers of Am. v. Bagwell*, 512 U.S. 821, 829 (1994) (“Where a fine is not compensatory, it is civil only if the contemnor is afforded an opportunity to purge” through a “subsequent opportunity to reduce or avoid the fine through compliance.”)).

149. As the findings above show: (a) the mere threat of a \$250,000 fine was insufficient to bring about the defendants’ compliance; and (b) the defendants’ failures to obey the court’s orders—through concerning conduct of a significant magnitude that was an obvious effort to circumvent the orders and to defeat FSIS’s regulatory authority—resumed almost from the day that the court ordered the sanctions.

150. The \$250,000 fine is millions of dollars less than the United States could be seeking under the civil penalty provisions of the November 2019 Injunction Order, which put the defendants on full notice of what they risked through further violations and which would allow the United States, for example, to obtain a penalty of \$7.6 million (which it has not pursued) merely in connection with the poultry products that FSIS detained on September 8, 2021.

151. In imposing the \$250,000 fine in its Contempt Sanctions Order, based on the defendants' long and then-continuing track record of non-compliance, the court was explicit that the fine was intended as a civil contempt sanction to coerce the defendants' future compliance. *See* July 22, 2021 Order at ¶ 99 (ordering \$250,000 fine “[i]n order to effect defendants' future compliance, by making them aware of the seriousness of their violations and the consequences for future violations”).

152. In response to the government's original proposal of the \$250,000 fine, the defendants stated an objection only to the fine amount, not to the government's basis for the fine. *See* Def.'s Objs. to U.S.'s Proposed Order at p. 4, ¶ 18, Doc. No. 99. The defendants' only stated objection to the fine amount was that “Defendant will need to invest money to make the improvements sought by FSIS regarding facility improvements and record-keeping improvements. A \$250,000 fine will further complicate Miller's ability to come into compliance.” *Id.*

153. To effect the defendants' future compliance, by making them aware of the seriousness of their violations and the consequences for future violations, the court **LIFTS THE STAY** on the previously imposed \$250,000 fine. Within 30 days of the entry date of this order, the defendants are **ORDERED TO PAY** to the clerk of court that \$250,000 coercive civil contempt fine amount. Upon payment, this fine shall be kept in the court's registry until further order of the court. This judgment for payment of the \$250,000 amount shall bear interest at the federal statutory rate from the due date until payment is satisfied. Should the defendants fail timely to pay the fine, they may face further monetary and other penalties, possibly including imprisonment of Amos Miller.

154. Once paid into the court's registry, this \$250,000 fine shall be used as stated below unless and until the court determines that the defendants' conduct is sufficiently compliant over a

sufficiently lengthy period to evidence a likelihood that defendants will remain in substantial, good-faith compliance with the court's orders.

155. The court will use the following benchmarks to determine such compliance that would allow the defendants to purge and have returned any remaining part of the deposited fine:

- **First:** The defendants and their agents must immediately cease all meat-and-poultry-related operations, sales, and other activities as provided in the injunction provisions above.
- **Second:** Consistent with the injunction provisions above, the defendants shall complete an inventory under the direction and to the satisfaction of the court-appointed expert in this matter.
- **Third:** Following completion of the inventory, the defendants shall complete product liquidations and dispositions as provided in the injunction provisions above, under the direction and to the satisfaction of the court-appointed expert.
- **Fourth:** If after those first three steps are completed to the court-appointed expert's and FSIS's satisfaction, the defendants—if they wish to resume or commence amenable meat or poultry operations—must establish to the court-appointed expert's and FSIS's satisfaction that they have applied for, obtained, and are otherwise compliant with applicable licensing, grant, exemption, and recordkeeping requirements that would allow such operations to occur.
- **Fifth:** If the defendants satisfy that fourth benchmark, then (and only then) can they begin applicable meat and poultry operations with some monitoring, full disclosure, adequate recordkeeping practices, and cooperation with FSIS, until such time as the court determines that monitoring is no longer necessary.

156. Unless and until the defendants meet all of those benchmarks, the \$250,000 fine shall be used (consistent with the defendants' earlier-stated concern that any fine amount be used to fund their compliance efforts) to pay for the court-appointed expert's costs and fees. *See* 29 Charles Alan Wright & Victor Gold, *Federal Practice and Procedure (Evidence)* § 6305 & nn. 40–41 (2d ed. 2021) (indicating that, under Evidence Rule 706, “the court may . . . impose the fee burden entirely on one side”); *see generally* 28 U.S.C. § 1920(6) (“A judge or clerk of any court of the United States may tax as costs . . . compensation of court appointed experts.”); *see, e.g.,*

Parsons v. Shinn, No. CV-12-601-PHX-ROS, 2021 WL 718102, at *4 (D. Ariz. Feb. 24, 2021) (noting, in imposing additional \$1.1 million civil contempt sanction for failure to comply with order to show cause, that the court agreed with the parties that the sanction funds should be used to pay for a Court-appointed expert or experts to “complete a systemic analysis of the adequacy of the health care provided to class members”).

157. Application may also be made to the court to approve use of the fine to pay for reasonable:

a. Costs verified by the court-appointed expert that relate to the defendants’ compliance efforts or FSIS’s costs with regard to (i) completing the above-required inventory, (ii) obtaining from USDA-FSIS or the Pennsylvania Department of Agriculture licensing for amenable meat and poultry operations (such as a federal grant of inspection, state retail licensing, or an approved “Exempt Plan” as defined in the Injunction Order), (iii) making improvements in amenable meat-and-poultry-related labeling, recordkeeping, or facilities, (iv) storing amenable meat and poultry products, such as at a third-party location under government seal, or (v) bringing the defendants’ or their food clubs’ websites into compliance (*e.g.*, by taking down the websites, removing amenable meat or poultry items from the websites, etc.); and/or

b. Attorneys’ fees for Mr. Lafuente if the defendants do not pay them.

Fines Now Assessed But Held in Abeyance

Non-compliance with inventory requirements

158. Under the July 22, 2021 Contempt Sanctions Order, Miller’s is required to pay, until compliance occurs, a \$1,500 fine for every day of non-compliance with the order’s inventory requirements. July 22, 2021 Order at ¶ 105.

159. The court assesses a \$1,500 per-day fine for the period beginning August 31, 2021 (the deadline for Miller's to have contracted with a qualified, independent third party) through the December 16, 2021 date of the contempt show cause hearing, for a total additional civil contempt fine of \$160,500 (\$1,500 x 107 days).

160. The court will hold that assessed fine in abeyance.

161. Upon the defendants' completion of a compliant inventory, to the satisfaction of the court-appointed expert and FSIS, the court will determine whether the defendants are in sufficient compliance to warrant relief from this assessed fine.

162. The court admonishes the defendants that further failures to comply with the court's inventory requirements will result in imposition of the \$5,000-per-day fine stated in paragraph 141, above.

Non-compliance with liquidation requirements

163. The Contempt Sanctions Order provided that the defendants would be assessed a \$1,500 fine for each day of non-compliance with the court's product liquidation requirements. July 22, 2021 Order at ¶ 115.

164. The court assesses an additional \$1,500 per-day fine for the period beginning August 24, 2021 (the date on which Amos Miller acknowledged that he had begun liquidating products) through the December 16, 2021 date of the contempt show cause hearing, for a total additional civil contempt fine of \$171,000 (\$1,500 x 114 days).

165. The court will hold that assessed fine in abeyance.

166. Upon the defendants' providing a proper accounting of all liquidated products in accordance with the Contempt Sanctions Order and this order, to the satisfaction of the court-

appointed expert and FSIS, the court will determine whether the defendants are in sufficient compliance to warrant relief from this assessed fine.

167. The court admonishes the defendants that further failures to comply with the court's liquidation requirements will result in imposition of the \$5,000-per-day fine stated in paragraph 141, above.

Illegal Poultry Slaughter Activities and Deliveries to Olde Tyme Meats

168. Under the Contempt Sanctions Order, the defendants and their agents have been prohibited from:

a. Slaughtering any amenable animals (July 22, 2021 Order at ¶ 116);

b. Sending livestock to any federally inspected establishment (such as Olde Tyme Meats), or any non-federally inspected establishment, unless and until: (a) FSIS verifies that Miller's has first liquidated all of its existing meat and poultry inventory (which FSIS has not yet done); or (b) Miller's obtains prior approval from FSIS to do so (which Miller's has not obtained) (July 22, 2021 Order at ¶ 118); and

c. Engaging in "exempt" poultry (as well as "exempt" livestock) slaughter or processing operations without first submitting an "Exempt Plan" directly to FSIS and obtaining FSIS approval (or judicial approval, after an FSIS final agency decision) of such operations. (July 22, 2021 Order at ¶¶ 117, 125; *see also* Injunction Order at ¶ 10.

169. As the court has found, FSIS has not to date approved any such "Exempt Plan" from Miller's that could allow it (or its employees or agents): (a) to operate under the Poultry Act's exemption provisions for poultry operations, as specified in implementing regulations at 9 C.F.R. §§ 381.10(a)(4), (a)(5), (a)(6), or (a)(7); or (b) otherwise to produce poultry products marked as "Exempt P.L. 90-492." Moreover, even if (contrary to fact) Miller's had received such approval

for exempt operations, the Contempt Sanctions Order prohibited Miller's and its employees and agents from conducting exempt poultry or livestock operations until all existing Miller's poultry and meat inventory were first fully liquidated or destroyed (July 22, 2021 Order at ¶ 118), which still has not occurred.

170. The Contempt Sanctions Order provided that the defendants would be assessed a \$25,000 per-day fine for: (a) each day that such Miller's slaughtering occurs; and (b) for each delivery of amenable animals to an establishment for slaughter.

171. The court has found more than nine such occasions of post-July 22, 2021: (a) illegal poultry slaughtering at Miller's without an FSIS-approved exempt plan; and (b) delivery of amenable animals to Olde Tyme Meats for slaughtering without first obtaining FSIS approval or verification.

172. At this time, the court nonetheless assesses for these violations a total fine of only \$200,000 for just five days of slaughtering of poultry at Miller's 672 Property ($\$25,000 \times 5 \text{ days} = \$125,000$) (these days are August 10, 17, 23, and 31, 2021 and September 7, 2021) and for just three deliveries of amenable animals to Olde Tyme Meats for slaughter/processing ($\$25,000 \times 3 = \$75,000$).

173. The court will hold that assessed fine in abeyance until either: (a) there is a need to replenish the separate \$250,000 fine amount (imposed in Paragraph 153, above) that is due to be paid into the court's registry within 30 days of this order, for Miller's pre-July 22, 2021 contempt violations—for example, if replenishing is needed because the \$250,000 becomes depleted through disbursements for the court-appointed expert's fees or other fees or costs as described above; or (b) the defendants have met all of the benchmarks set forth in paragraph 155, above.

174. The court admonishes the defendants that further prohibited slaughtering and delivery activities will result in imposition of the \$5,000-per-day fine stated in paragraph 141, above.

Unlicensed Retail Operations

175. Under the Contempt Sanctions Order, Miller's was required to cease and desist all amenable meat-and-poultry-related retail-exempt operations unless and until Miller's demonstrated compliance with Commonwealth of Pennsylvania retail licensing requirements. July 22, 2021 Order at ¶ 38.

176. As the court has found, however: (a) Mr. Miller, Miller's, and their agents have not, to date, obtained Pennsylvania Department of Agriculture licensing to conduct such retail operations; and (b) as FSIS observed on September 8, 2021, the defendants violated the Contempt Sanctions Order by cooking poultry products (an exempt retail activity that requires Pennsylvania Department of Agriculture licensing) on at least that date.

177. The Contempt Sanctions Order provided that Miller's would be assessed a \$1,500 fine for each day that Miller's engaged in such meat-related or poultry-related retail operations without a Pennsylvania license. July 22, 2021 Order at ¶ 121.

178. The court assesses a \$1,500 fine for the September 8, 2021 observations and will hold that fine in abeyance until the defendants make an adequate showing either that such retail operations have ceased or that they have obtained an appropriate Commonwealth of Pennsylvania retail sales license.

179. The court admonishes the defendants that further retail operations without such required licensing will result in imposition of the \$5,000-per-day fine stated in paragraph 141, above.

180. This order does not affect the pendency of the Second Condemnation Action and does not include provisions regarding the disposition of the articles that FSIS detained on September 8, 2021.

181. The defendants, Amos Miller and Miller's Organic Farm, are **ORDERED**: (a) to comply with the provisions of the November 2019 Injunction Order, April 2020 Consent Decree, and July 22, 2021 Contempt Sanctions Order, which remain in effect, to the extent that those provisions are not superseded by provisions in this Order; and (b) to cooperate fully and completely with the court-appointed expert and with FSIS's investigations, inquiries, review, and compliance examinations.

BY THE COURT:

Dated: February 7, 2022

/s/ Edward G. Smith
EDWARD G. SMITH, J.

EXHIBIT 15

COMMONWEALTH OF PENNSYLVANIA

Department of Agriculture

Order Confirming Detention of Adulterated and Misbranded Food

This Order is issued by the Pennsylvania Department of Agriculture under authority of the Food Safety Act (3 Pa. C.S.A. §§ 5721-5737). It confirms a Detention Order that was imposed by PDA food safety enforcement personnel on November 17, 2021, with respect to the food and articles described below. The referenced Order follows:

I. Statement of Facts and Conclusions of Law.

1. The Pennsylvania Department of Agriculture (“PDA” or “Department”) administers and enforces the Food Safety Act, the Milk Sanitation Law (31 P.S. §§ 645-660g) and its attendant regulations (at 7 Pa. Code Chapter 59a).
2. The Food Safety Act (at 3 Pa. C.S.A. § 5726(a)) authorizes PDA to detain food where there is probable cause to believe that food is adulterated or misbranded. The statutory provision relating to detention and condemnation of food states, in relevant part:

§ 5726. Detention and condemnation

(a) Marking detained food.-- Whenever the secretary has probable cause to believe that food is adulterated or misbranded, he shall affix to the container or wrapping a tag or other marking. The tag or marking shall give notice that:

- (1) The food may be adulterated or misbranded and shall be detained.
- (2) It is unlawful to remove the food from the food establishment or to dispose of it without approval of the secretary.

3. The Milk Sanitation Law and its regulations allow for the manufacture and sale of fluid raw milk and 60-day-aged raw milk cheese *only if* the milk has been produced by a dairy farm that has passed an inspection by PDA or a PDA-approved inspector; the milk has been tested for somatic cell count, standard plate count (bacteria) and antibiotics; and the fluid raw milk or aged cheese is manufactured at a facility holding a valid permit from PDA.
4. Section 5734 of the Food Safety Act prohibits any person from operating a food establishment within the Commonwealth without first registering with PDA. *See* 3 Pa. C.S.A. § 5734(a). A food establishment is defined under Section 5722 as “[a] room, building or place or portion thereof... used or operated for the purpose of commercially... processing...or otherwise preparing, transporting or handling food.” 3 Pa. C.S.A. § 5722.
5. On November 17, 2021, a PDA Inspector conducted a complaint inspection at the food establishment premises of M. Cutone Mushrooms, Inc., 202 Church Street, Avondale, Pennsylvania 19311 (the “Facility”). The Facility has a valid Food Establishment registration with PDA. A copy of the food establishment inspection report is attached as Exhibit “A.”

6. While conducting the above-referenced inspection, the Inspector observed a shrink-wrapped pallet with more than 40 boxes of assorted food products being held for delivery or transport and intended for sale in interstate commerce. Products observed include raw milk, raw milk products, meat and poultry, and shell eggs. None of these products were labeled properly under the Food Safety Act and applicable food safety regulations. Further, the unpasteurized dairy products (i.e., the raw milk and raw milk products) are not approved products to be manufactured or sold retail under the Milk Sanitation Law.

7. During the November 17, 2021 inspection, the Inspector also discovered that the food and dairy products identified in Paragraph 6 above were produced, prepared, and packed by Miller's Organic Farm, a food establishment operating without a valid PDA registration.

8. Under the Food Safety Act (at 3 Pa. C.S.A. § 5734(a)), relating to registration of food establishments, "it shall be the duty of every person operating a food establishment within this Commonwealth to register with the secretary as a food establishment."

9. Under the Food Safety Act (at 3 Pa. C.S.A. § 5728(6)), relating to adulteration of food, a food is deemed to be "adulterated" if it:

... has been produced, prepared, packed or held under unsanitary conditions so that it may have become contaminated with filth or may have been rendered diseased, unwholesome or injurious to health.

10. Because the raw milk and raw milk products identified in Paragraph No. 6 above had been manufactured in violation of the Milk Sanitation Law and its attendant regulations, for which no testing or safety standards have been established, the PDA Inspector had probable cause to believe these raw milk products were "adulterated" as described in the preceding paragraph, since they were produced under such conditions that may have rendered the products unwholesome or injurious to health.

11. Because all the food and dairy products identified in Paragraph 6 above were processed in an unregistered and uninspected food establishment, the PDA inspector had probable cause to detain the products being held at the Facility and offered for sale to consumers as "adulterated," since they were produced under such conditions that may have rendered the products unwholesome or injurious to health.

12. Under the Food Safety Act (at 3 Pa. C.S.A. § 5729(a)(1) and (6)), relating to misbranding of food, a food is deemed to be "misbranded" if:

(1) ... its label is false or misleading in anyway...

(6) ... it is represented as a food for which a definition and standard of identity has been prescribed by regulation under this subchapter or under any of the Federal acts, unless it conforms to the definition and standard...

13. Under the Food Safety Act (at 3 Pa. C.S.A. § 5729(a)), relating to misbranding of food, food is deemed to be “misbranded” if it does not conform with the labeling requirements prescribed under subsections (a)(5), (a)(6), and (a)(7), which, if applicable, include:

(a)(5)(i) The name and place of business of the manufacturer, packer or distributor.

(a)(5)(ii) An accurate statement of the quantity of the contents in terms of weight, measure or numerical count.

* * *

(a)(6) If it is represented as a food for which a definition and standard of identity has been prescribed by regulation under this subchapter or under any of the Federal acts... [labeling that] bears the name of the food specified in the definition and standard...

(a)(7)(i) The common or usual name of the food, if any.

(a)(7)(ii) ...the common or usual name of each ingredient...

14. Because the unpasteurized dairy products identified in Paragraph No. 6 above had been manufactured to represent milk and other milk products, but were not labeled as such, the PDA Inspector has probable cause to deem these products “misbranded” as they violate the federal standards of identity of these products, which require the use of properly pasteurized milk in manufacturing.

15. Because the food and dairy products identified in Paragraph No. 6 above are being offered for retail sale without any of the package labeling described in Paragraph No. 14, the PDA Inspector had probable cause to deem all these products “misbranded.”

16. Based upon the determination that probable cause existed to believe the and food and dairy products identified in Paragraph No. 6 above are “adulterated” and/or “misbranded,” on November 17, 2021, the PDA Inspector detained these products by placing on the packages orange-colored stickers stating:

PRODUCT UNDER DETENTION ORDER
Not to be moved or used without
Authorization of the PA. DEPT. of AGRICULTURE

17. A notice was also placed on the packages which stated that: (1) The food may be adulterated or misbranded and shall be detained; and (2) It is unlawful to remove the food or to dispose of it without approval of the Secretary of the Pennsylvania Department of Agriculture. A copy of the notice is attached as Exhibit “B.”

18. Pursuant to the Food Safety Act, at 3 Pa. C.S.A. § 5726(b), the Detention Order issued by the PDA Inspector on November 17, 2021, would *expire* as of November 24, 2021, (five working days after it was issued) “... unless the secretary (of PDA) confirms the order” before it expires (clarification added).

19. This Order confirms the Detention Order issued by the PDA Inspector, as described above.

20. The Food Safety Act (at 3 Pa. C.S.A. § 5726(b)) requires the Secretary of PDA to determine the ultimate disposition of food and articles detained under a Detention Order, as follows:

(b) Determination and appeal.-- The secretary shall determine whether a food detained under this act may be sold, delivered, consigned, held or offered for sale as is or whether it shall be relabeled, reprocessed or destroyed within 40 days of issuance of the detention order. Any determination by the secretary that the food shall be relabeled, reprocessed or destroyed shall be subject, within 30 days of the determination, to appeal by the owner or operator of the food establishment or the manufacturer or owner of the food to the court of common pleas of the county in which the food was located. The detention order shall expire after five working days from the issuance of the order, unless the secretary confirms the order. The order shall clearly and concisely state the facts on which it is based.

II. Order.

The Pennsylvania Department of Agriculture hereby orders the following:

A. The Statement of Facts and Conclusions of Law (Paragraph Nos. 1 through 20) set forth above are incorporated into this Order as if set forth at length.

B. The Detention Order by which PDA detained the dairy and food products described in Paragraph No. 6 above, is hereby *confirmed* pursuant to the Food Safety Act, at 3 Pa. C.S.A. § 5726(b).

C. It is the determination of this office that probable cause exists to believe that the food and dairy products described in Paragraph No. 6 above were produced in violation of the Milk Sanitation Law and are *adulterated and misbranded*, as defined in the Food Safety Act at 3 Pa. C.S.A. § 5728(6) and § 5729(a)(1), (a)(5), (a)(6) and (a)(7).

D. The Secretary has hereby determined the food and dairy products described in Paragraph No. 6 above may not be sold, delivered, consigned, held or offered for sale, and shall be destroyed under PDA supervision.

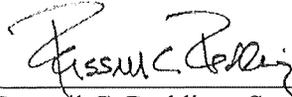
E. The provisions of this Order are immediately effective.

F. Copies of this Order shall be mailed or delivered to:

M. Cutone Mushrooms, Inc.
202 Church Street
Avondale, PA 19311

This Order is issued on November 23, 2021.

BY THE PENNSYLVANIA DEPARTMENT OF AGRICULTURE

A handwritten signature in black ink, appearing to read "Russell C. Redding". The signature is written in a cursive style with a large initial "R".

Russell C. Redding, *Secretary*

Exhibit “A”

Food Establishment Inspection Report



Food Establishment Inspection Report

Facility: M CUTONE MUSHROOMS INC Facility ID: 8072
 Owner: MARIO CUTONE
 Address: 202 CHURCH ST
 City/State: AVONDALE PA
 Zip: 19311 County: Chester Region: Region 7
 Phone: 6102682271

Insp. ID: 904824
 Insp. Date: 11/17/2021
 Insp. Reason: Complaint
 No. of Risk Factors: 0
 No. of Repeat Risk Factors: 0
 Overall Compliance: IN

Note: The significance of the violation and the risk of food contamination as a result of system failures should be the focus of this inspection. C = Critical | M = Major | m = Minor

IN = In Compliance | OUT = Out of Compliance | N/O = Not Observed | N/A = Not Applicable | COS = Corrected On Site | R = Repeat Violation | YES = Firm seems to be IN | NO = Firm seems to be OUT

QUALIFIED INDIVIDUALS (§117.4)					
1.	Adequate Management- Active Managerial Control - Qualified Supervisors	In	29.	Utensils and equipment designed and used in a manner that precludes contamination with lubricants, contaminated water, metal fragments, etc.	In
2.	Assignment or identification of supervisors	In	30.	Freezers & cold storage areas equipped with appropriate temperature measuring or recording devices	In
3.	Record-keeping	In	31.	Thermometers, aw, pH meters, chemical testers & other measuring instruments provided, accurate and maintained	In
PERSONNEL (§117.10)			32.	Compressed air, steam and other gases contacting food: treated to avoid indirect introduction of contaminants in food	In
4.	Personnel with illness, sores, infections, etc., restricted from handling food products - Health policy - Restriction/ exclusion	In	PROCESSES & CONTROLS (§117.80)		
5.	Employees cleanliness and hygiene maintained (outer garments, hair restraints, jewelry, eating/drinking/tobacco use, personal belonging storage, etc.)	In	33.	Raw materials & ingredients from identifiable source; approved suppliers	Out C
6.	Employee hands washed/sanitized - Gloves properly used and maintained	In	34.	Raw materials and other ingredients received in good condition; at proper temperature; safe and unadulterated	In
PLANTS & GROUNDS (§117.20)			35.	Raw materials and other ingredients: inspected, segregated, properly stored and handled; washed/cleaned or processed/treated when necessary	In
7.	Premises free of pest harborages and contamination source - Roads/parking/yards maintained - adequate drainage provided	In	36.	Adequate process methods & controls: proven, established & implemented (i.e. pasteurization, formulation, cooking, cooling, refrigeration, etc.)	In
8.	Waste treatment and disposal properly handled.	In	37.	Process controls & parameters: properly monitored & corrected; records kept (i.e. pH, aw, time, temperature, etc.)	In
9.	Equipment properly stored - litter and waste removed	In	38.	Quality control and testing procedures employed where necessary to ensure effectiveness of sanitation and safety of food and food-packaging materials	In
10.	Plant suitable in size/ construction/ design - Sufficient space provided for production operations - separation of operations	In	39.	Food additives: approved and properly used	In
11.	Floors, walls and ceilings: properly constructed, kept clean and maintained	In	40.	Proper disposition of returned, reconditioned, recalled and adulterated food; proven methods used	In
12.	Food, food-contact surfaces and food-packaging materials protected from overhead contamination (pipes, ducts, drip, condensate, etc.)	In	41.	Ice manufactured from potable water; stored & handled in a sanitary manner	In
13.	Adequate ventilation, lighting and screening provided	In	42.	TCS Ingredients and foods held at proper temperatures throughout the process (incl. thawing); WIP and rework identified & proper handled	In
14.	Food stored in outdoor bulk vessels protected	In	43.	Food protected against inclusion of metal or other physical contaminants	In
SANITARY OPERATIONS (§117.35)			WAREHOUSING AND DISTRIBUTION (§117.93)		
15.	Facility kept clean & in good repair - Adequate sanitation operations & methods	In	44.	Food stored & transported under conditions to prevent allergen cross-contact, contamination/ deterioration of food & its container	In
16.	Cleaning compounds, sanitizing agents, pesticide chemicals and other toxic chemicals: safe, properly identified, used and stored	In	45.	Vehicles and transportation equipment properly designed, equiped and maintained in sanitary condition and good repair.	In
17.	Facility maintained free of insects, rodents, and other pests	In	HUMAN FOOD BY-PRODUCT FOR USE AS ANIMAL FOOD (§117.95)		
18.	Food-contact surfaces cleaned and sanitized at proper frequency- Proper storage of cleaned equipment and utensils	In	46.	By-products intended for animal food: properly identified, stored and transported	In
19.	Single service articles: properly stored, handled and disposed	In	47.	Shipping containers and vehicles: inspected, clean and maintained	In
20.	Non-food-contact surfaces kept clean and in good repair	In	DEFECT ACTION LEVELS AND MIXING OF ADULTERATED FOOD (§117.110)		
SANITARY FACILITIES & CONTROLS (§117.37)			48.	Adequate quality control operations employed to reduce natural or unavoidable defects to the lowest level feasible	In
21.	Water supply: adequate in quantity & quality; suitable temperature & pressure	In	49.	No mixing of food containing defects that render it adulterated with other lots of unadulterated food to reduce the level of defects	In
22.	Adequate sewage & waste water disposal; proper drainage	In			
23.	Plumbing: adequate in size, construction & design; installed and maintained; backflow prevention provided	In			
24.	Toilet facilities: properly constructed, readily accessible, supplied, kept clean and in good repair	In			
25.	Adequate handwashing facilities provided, supplied and accessible	In			
26.	Garbage & refuse: properly disposed; facilities maintained	In			
EQUIPMENT & UTENSILS (§117.40)					
27.	Utensils and equipment: designed to be cleanable; properly installed, used and maintained	In			
28.	Food-contact surfaces: properly designed (i.e. non-toxic, durable, non-corrosive, smooth), properly used & maintained	In			



Food Establishment Inspection Report

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 Owner: MARIO CUTONE
 Address: 202 CHURCH ST
 City/State: AVONDALE PA
 Zip: 19311 County: Chester Region: Region 7
 Phone: 6102682271

Insp. ID: 904824
 Insp. Date: 11/17/2021
 Insp. Reason: Complaint
 No. of Risk Factors: 0
 No. of Repeat Risk Factors: 0
 Overall Compliance: IN

ALLERGEN CROSS-CONTACT CONTROLS (§117 Subpart B)			CONFORMANCE WITH SPECIALIZED PROCESS REGULATIONS (**)			
50.	Employees utilize sufficient hygienic practices to prevent allergen cross-contact	In	56.	Facility complies with the specialized process regulations as appropriate (i.e. Juice/Seafood HACCP, Acidified & LACF, PCHF, etc.) - (**) Complete specialized IR addendum when warranted	In	
51.	Proper methods used to prevention against allergen cross-contact including adequate equipment design, equipment cleaning and sanitizing, separation of operations, production schedule, dedicated equipment, material segregation, labeling, etc.	In	LIMITED SCOPE PREVENTIVE CONTROLS QUESTIONS (§117 Subparts C&G)			
FOOD IDENTIFICATION AND LABELING (§101)			57.	Hazard Analysis conducted and written?	No	
52.	Food labels properly present the statement of identity, ingredients statement, net weight, and responsible firm's information	Out	C	58.	Preventive Controls: identified established and written? - (i.e. process controls, sanitation controls, allergen controls, and supply chain program)	No
53.	Allergenic ingredients properly identified and declared on food product labels	Out	C	59.	Food Safety Plan (FSP): developed, written and complete? - (i.e. procedures for monitoring, CA, verification, and validation)	No
54.	Nutrition facts, nutrient content claims, health claims, and other label statements and warnings presented appropriately on food product labels	Out	C	60.	Preventive Controls: implemented and records kept?	No
55.	Facility utilizes a lot coding/dating system for proper product tracking and recalling	Out	C	61.	Recall Plan: proper procedures established and written?	No
				62.	Food Safety Plan development and its implementation overseen by a PCQI?	No

Visit Date	Person In Charge	Person In Charge Signature	Sig. Date	Sanitarian	Sanitarian Signature	Sig. Date	Time In	Time Out
11/17/2021	Mike Cutone, PIC (Signature on File)		11/17/2021	Peter Palermo		11/17/2021	6:00 PM	8:00 PM

OBSERVATIONS AND CORRECTIVE ACTIONS

Violations cited in this report must be corrected within the timeframes below

Item Number	Violation of Code	Comment	Correct By Date	Repeat Violation
33.	33-117.80(b)(1)	Products from unapproved / unregistered facility	11/17/2021	
52.	52-101	Your product label is missing one or more required emelents. Specifically: list of ingredients; net weight; name of firm; code for recall purposes	11/17/2021	
53.	53-101.100	Your product contains a processing aid that have an allergenic component (milk); however, the product label does not declare it.	11/17/2021	
54.	54-101.17(g)	Your packaged unpasteurized juice and dairy products which are for retail sale only, are being shipped out-of-state (Mass.)	11/17/2021	
55.	55-117.305(f)(4) & 114.80(b)	You do not have adequate dating or lot coding procedures for all food as necessary to identify day of production or to facilitate a recall.	11/17/2021	

PUBLISHED COMMENTS

PDA was alerted by USDA that food items produced by Miller's Organic Farm was shipped to M. Cutone Mushrooms for transport to Massachusetts. Inspector met USDA inspectors at site to determine validity. Mr. Cutone has trucks making deliveries out-of-state and has been contracted in the past to deliver additional products from other firms.

Mr. Cutone received one pallet of assorted products. The pallet was shrink-wrapped, and held over 40 sealed boxes of products. The pallet was held in a refrigerated area. Inspectors opened the boxes and noted many different refrigerated products, including: unpasteurized dairy products; non-USDA-inspected meat; meat products; and eggs. See separate attachments for complete list and photos. Documents with the products indicated the customer information, and showed that the products were being shipped to Massachusetts (see photos).

Miller's Organic Farm is not certified "Organic", and is not registered with PDA. Further, the firm has been cited many times by USDA, with an outstanding fine and existing consent order prohibiting manufacture and sale of meat products.

The products were re-boxed and palletized. As the products are from an unapproved source, they were tagged as "product under detention order" by PDA. Mr. Cutone was instructed that the products could not be moved or used. Mr. Cutone agreed to hold the product in his refrigerated warehouse and was helpful in the investigation.

Under penalty of law, the products under detention may not be destroyed or moved from the premises without permission from the Department (3 Pa.C.S. § 5723(6))

A detention order was placed on the detained product. A photograph of the detention order was taken and attached to the facility's account.

One Pallet of various food products including but not limited to various refrigerated products such as: unpasteurized dairy products; non-USDA-inspected meat; meat products; and eggs from Amos Miller's Miller's Organic Farm in Bird In Hand PA, were placed under detention because none of the food items were labeled and product was from an unapproved, unlicensed source ** (3 Pa.C.S. § 5726(a)) Detailed product list available as an attachment.

Exhibit “B”

Notice Food Under Detention Order



pennsylvania
DEPARTMENT OF AGRICULTURE

BUREAU OF FOOD SAFETY & LABORATORY SERVICES

NOTICE FOOD UNDER DETENTION ORDER

This food has been detained by the Pennsylvania Department of Agriculture pursuant to Section 5726(a) of the Food Safety Act (3 Pa.C.S.A. §§ 5721-5737) (The "Act"). Notice is hereby given that:

- (1) The food may be adulterated or misbranded and shall be detained.
- (2) It is unlawful to remove the food from the premises or to dispose of it without approval of the Secretary of the Pennsylvania Department of Agriculture.

Identification of premises where food is detained:

M. Cutone Mushrooms 91 Pennsylvania Av 19311

Identification of the product(s) under Detention:

1 pallet of assorted refrigerated products
received from Miller's Organic Farm

Removal or disposal of a detained or embargoed food article is prohibited by Section 5723(6) of the Act, and punishable by criminal penalties, civil penalties up to \$10,000, or both under Section 5725 of the Act.

This Detention Order is issued this 17th day of November, 2021.

Food Inspector Signature

Peter Palermo

Food Inspector Print Name

Peter Palermo

Bird in Hand Meats
672 Mill Creek School Road, Bird in Hand, PA 17505
OUR PIGS THRIVE ON GRASS-FED WHEY
THEY ALSO GET TO ENJOY FRESH AIR AND SUNSHINE.

Sage Breakfast Links 10/pk
100% PORK, CELTIC SEA SALT, BLACK PEPPER, SAGE

NET WT. 1.03 lb

KEEP FROZEN OR REFRIGERATED

Safe Handling Instructions

THIS PRODUCT IS NOT A MEAT PRODUCT THAT COULD CAUSE HUSKINESS. IT IS A MEAT PRODUCT THAT HAS PASSED INSPECTION AND IS SAFE TO EAT.
 KEEP REFRIGERATED
 KEEP FROZEN

FOR MORE INFORMATION, PLEASE VISIT US AT www.birdinhandmeats.com.
BIRD IN HAND MEATS, LLC
1000 Chestnut Street, PA 17505

Produced by **Older Tyme Meats, LLC**

BUFFALO FEED FOOD

PACKED ON | 2/11/20 | SELL BY | NET WT. 10

1.44

670

6.75

PRICE PER LB

9.72

TOTAL PRICE \$

MILLERS ORGANIC FARM
BIRD-IN-HAND, PA

9" CHICKEN PIE
-Frozen-

After thawing, Bake at 375° for 1 hour.

Ingredients: Soy-free Chicken Broth, Unbleached,
Unenriched Organic Wheat Flour, Soy-free
Chicken, Potatoes, Carrots, Celery, Peas, Lard,
Butter, Onions, Celtic Sea Salt, Celery Seed,
Pepper, MSG-free Seasoned Salt.

Make payable to:

MILLER'S ORGANIC FARM

Private Membership Association

No. 157528

648 Mill Creek School Road

Bird in Hand, PA 17505

717 556-0672 NO SUNDAY SALES

Chelsea

LS

FEDEX	FEDEX	ORDER DATE 11-15-26		
GROUND	OVERNIGHT	UPS	OTHER	SHIP DATE
NAME Anne Smith				PHONE NUMBER 5084299406
ADDRESS				

Call before SUB

Be sure to double check packing material for any missing items.
 All past due accounts are subject to all legal and collection fees.
 After 30 days, add 2% interest to total or a minimum of \$5.00.

Due upon receipt
 Please include phone# on check

QUANTITY	DESCRIPTION	WEIGHT	PRICE	AMOUNT
X 2 lb	P Jack	1.92	7.25	13.92
X 3 lb	salt sharp cheddar ^{2.76}		7.25	21.39
X 2 lb	Colby	7.25	7.25	16.31
X 1 lb	eyed mozzarella	1.23	9.50	11.69
X 3	802 NS goat chevre plain			22.50
X 2 qt	L Cream glass			26.00
X 1 pt	L Cream			6.50
X 1 qt	H Cream			13.50
X 4 1/2 gal	goat milk			40.00
X 1 pt	gift			free
X 2	pecan		Out of Stock	
X 1	pumpkin seed			7.00
X 1 doz	egg			7.00
**				
**				185.81
**				
**			S	15.00
**				

Convenience Fees May Apply

TOTAL

200.81

THANK YOU

Make payable to: **MILLER'S ORGANIC FARM**
 Private Membership Association
 648 Mill Creek School Road
 Bird in Hand, PA 17505
 717 556-0672 NO SUNDAY SALES

No. 157533

Burlington US
 7

ORDER DATE 11-15-21

FEDEX GROUND FEDEX OVERNIGHT UPS OTHER SHIP DATE

NAME Annette Fang PHONE NUMBER 6073659045

ADDRESS _____

Be sure to double check packing material for any missing items.
 All past due accounts are subject to all legal and collection fees.
 After 30 days, add 2% interest to total or a minimum of \$5.00.

Due upon receipt
 Please include phone# on check

QUANTITY	DESCRIPTION	WEIGHT	PRICE	AMOUNT
* 1	gal 1.2 milk		6.50	39.00
* 2	doz egg			14.00
* 5	lb carrot	5.11	3.00	15.33
* 5	lb onion	5.09	3.00	15.27
* 4	gal apple cider			68.00
* 1	gal kimchee juice			10.50
* 5	lb buff stew meat	5.00	10.50	52.50
* 1	pumpkin pie			11.50
* 5	lb buff soup bone	5.21	9.75	50.80
*				
*				276.90
**				\$ 30.00
**				
**				
**				
**				
**				

Convenience Fees May Apply TOTAL 306.90

THANK YOU

Association
 Bird in Hand, PA 17505
 717 556-0672 NO SUNDAY SALES

No. 158314

FEDEX GROUND FEDEX OVERNIGHT UPS OTHER ORDER DATE 11-16-21

NAME Janice Hudson SHIP DATE

ADDRESS PHONE NUMBER 267 754 2470

Be sure to double check packing material for any missing items.
 All past due accounts are subject to all legal and collection fees.
 After 30 days, add 2% interest to total or a minimum of \$5.00.

Due upon receipt
 Please include phone# on check

QUANTITY	DESCRIPTION	WEIGHT	PRICE	AMOUNT
* 3	1b salt cheddar A.2	1.00	875	27.04
* 2	1b Cobby Dill Sub Jacks	1.81	7.25	13.12
* 2	1b H Jack	2.19	7.25	15.88
* 2	1b Swiss salt A.2	1.81	9.25	16.74
* 3	pt Greek yogurt plain A.2			21.00
* 1	1b cream cheese A.2			11.00
* 2	pt H Cream A.2			19.00
* 2	cottage cheese A.2			13.00
* 5	1b salt cult butter A.2		17.	85.00
2	pecan out of pecans			
3	pt chick broth			16.50
2	pt beef broth			11.00
* 2	pt turkey broth 2.00			40.50
				289.78
			S.	20.00

Convenience Fees May Apply TOTAL

Make payable to: **MILLER'S ORGANIC FARM**
Private Membership Association

No. 157755

648 Mill Creek School Road
 Bird in Hand, PA 17505
 717 556-0672 NO SUNDAY SALES

Chelsea

CS

ORDER DATE 11/15/21

FEDEX GROUND	FEDEX OVERNIGHT	UPS	OTHER	SHIP DATE
NAME	Ruth. Bassiter / Anne Smith.			PHONE NUMBER
ADDRESS	781 441 0153			

Be sure to double check packing material for any missing items.
 All past due accounts are subject to all legal and collection fees.
 After 30 days, add 2% interest to total or a minimum of \$5.00.

Due upon receipt
Please include phone# on check

QUANTITY	DESCRIPTION	WEIGHT	PRICE	AMOUNT
* 2	gal. milk A2.			22.00
* 3	(5oz) goat cheese gathic	NS	2.50	22.50
* 1	qt chicken broth.			8.75
* 1	qt. sauerkraut	-1.00		7.00
* 3	pecans	out of stock		
*				
*				
*				60.25
*				
*			S.	15.00
*				
*				
**				
**				
**				
**				

Cinnamon Raisin Bread 29
Wheat flour, unenriched wheat flour,
Water, raw honey, lard, organic raisins,
Vinegar, celtic sea salt, yeast, cinnamon

ONE DOZEN

GRADE
SIZE

Corn & Soy

Nov 18 21 10:32 AM

CORV 19765267440
1610972

Nov 19 - 20, 21

15/5

	Qty		Price	Total
X	1	A2 Butter (U) 8 oz	9.75	9.75
X	3	Apple Cider, Half	11.50	34.50
		Total Bakery, Staples, Treats, Dr	44.50	84.50
X	1	Butter (S) 8 oz	8.00	8.00
X	1	Butter (S) Cultured 16oz.	16.00	16.00
X	1	Butter (U) 16 oz	12.50	12.50
X	7	Butter (U) 8 oz	7.75	54.25
X	5	Cheddar Sharp Salted SALE 75%	6.75	33.75
X	1	Cheese, Monterey Jack Salted 1/2 lb	7.25	7.25
X	1	Cream, Light, Quart, Glass	13.00	13.00
X	1	Any Duck Eggs/(Corn & Soy Fre	11.00	11.00
X	7	Eggs, each, no soy, fresh, clean	7.00	49.00
X	2	Ghee, pint	16.50	33.00
X	5	Goat 11 Strain Probiotic Drink	7.50	37.50
X	1	Goat Milk Half Gallon/plastic	10.00	10.00
X	1	Goat, Kefir, Quart	9.50	9.50
X	6	Herb Salt	4.50	27.00
X	2	KEFIR, WATER, Qt Ginger	8.00	16.00
X	2	Beet Kvass, QT	6.00	12.00
X	1	Cashews, Crispy 12oz.	12.00	12.00
X	1	Yogurt, Cow, Greek quart, plain	8.50	8.50
X	7	Bacon (cured/salted)	14.50	101.50
X	3	Beef, Ground 2lb fam.Pk \$7/lb	14.00	42.00
X	3	Buffalo, ground w/ organs	37.50	112.50
X	3	3 whole Ducks	37.50	112.50
	1	Goat, Ground w/ organs, NO SUBS	15.00	15.00
	1	Lamb Ground, w/ organs, NO SUBS	15.50	15.50
	1	20lbs worth of Turkey, Whole, no-soy	5.25	5.25
	1	cod liver oil	27.50	27.50

for Cyndy, Chelsea, MA pickup. Thank you.

1 qt H cream A2
1 gal Sharp milk
1 pt mild Kefir A2
10 Chicken feet
2 qt Beef tallow

965.64
S. 96.56
1062.20

INSPECTION REPORT

CES

NAME

FACILITY#

INSPECTION DATE

ADDRESS

CITY

STATE

PURPC

Make payable to: **MILLER'S ORGANIC FARM**

No. 157757

Private Membership Association

648 Mill Creek School Road

Bird in Hand, PA 17505

717 556-0672 NO SUNDAY SALES

Chelsea

20

ORDER DATE

11/15/21

FEDEX

FEDEX

OTHER

SHIP DATE

GROUND

OVERNIGHT

UPS

PHONE NUMBER

NAME

Margo Shields / Anno Smith • 617-694-0022

ADDRESS

Be sure to double check packing material for any missing items.
All past due accounts are subject to all legal and collection fees.
After 30 days, add 2% interest to total or a minimum of \$5.00.

Due upon receipt
Please include phone# on check

QUANTITY	DESCRIPTION	WEIGHT	PRICE	AMOUNT
----------	-------------	--------	-------	--------

* 20	qt. beef broth.			175.00
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PORK BACON
cured, salted, smoked

PACKED ON | SELL BY | NET WT. (lb)
05/25/21

1.06

202

14.50

15.37

PRICE PER lb. TOTAL PRICE

MILLERS ORGANIC FARM
BIRD-IN-HAND, PA

PLAIN
GREEK GOAT
YOGURT

GR

PLAIN
GREEK GOAT
YOGURT





12

32 OZ

A0032-120C1C

ThermoSafe

12 Pcs
FLINT

Piranha Clave

16 OZ

A0016-020C1C

ThermoSafe

ThermoSafe

ThermoSafe



NOT TOP LOAD. STORE IN...

WHOLE TURKEY

PROCESSED BY HIDDEN ACRES POULTRY BUTCHERING
COCHANDVILLE, PA 15201 BY 08-202

PACKED ON | **SELL BY** 22.09 | NET WT. LBS. | PRICE PER LB. | TOTAL PRICE \$

**BIH MEATS
BIRD IN HAND PA**

SAFE HANDLING INSTRUCTIONS

THIS PRODUCT WAS PREPARED FROM INSPECTED AND PASSED MEAT AND/OR POULTRY. SOME FOODS
PRODUCTS MAY CONTAIN BACTERIA THAT COULD CAUSE ILLNESS IF THE PRODUCT IS UNWASHED
OR COOKED IMPROPERLY FOR YOUR PROTECTION. FOLLOW THESE SAFE HANDLING INSTRUCTIONS.

- KEEP RAW MEAT AND POULTRY SEPARATE FROM OTHER FOODS. WASH WORKING SURFACES, INCLUDING CUTTING BOARDS, UTENSILS, AND HANDS AFTER TOUCHING RAW MEAT OR POULTRY.
- COOK THOROUGHLY. KEEP HOT FOODS HOT, REFRIGERATE LEFTOVERS IMMEDIATELY OR DISCARD.

Sauerkraut
Cabbage, Celtic Sea Salt

unsalted
GARLIC
& CHIVE
CHEVRE

ORGANIC

Wholesome to the core®

biologique



NIER FRUIT CO. SELAH, WA 98942 | ONE VOLUME BUSHEL CAT
Certified Organic by: Washington State Department of Agriculture



09 4051 05 20
10002402065

Apples
ORGANIC RED DELICIOUS
WASHINGTON EXTRA FANCY

PLU 94015

Distributed by Palmer Fruit Co. Selah, WA 98942
Certified Organic by Washington State Dept. of Agriculture



Produce of USA
NET WT. OR EXCESS
US EXTRA FANCY

Eggnog



100% GRASSFED
Sheep Milk
CHEMICAL FREE + NATURAL

A2 A2
Heavy Cream

Water Buffalo
Kefir
Batch #9





Eggplant

29

SUN TEE PHARM CO., LTD.
ORDERED FROM SUN TEE PHARM CO.
INVOICE NO. 783
DATE 7-25-83
FOR THE USE OF
(not for resale)
Miller's Organic Farm

A2

Tallow

Tallow



0 87

Miller's Organic Farm
648 Millcreek School Rd
Bird in Hand PA 17505-9113
(717) 556-0672

To: Julieann MacQueen
45 Bedford Rd.
Carlise MA. 01741
781-686-3508

PRODUCT UNDER DETENTION ORDER
Not to be moved or used without
authorization of the PA. DEPT. of AGRICULTURE



Wholesome Granola
100% Whole Grain
No Added Sugar
No Artificial Flavors
No Preservatives

Wholesome Granola
100% Whole Grain
No Added Sugar
No Artificial Flavors
No Preservatives

Organic
Wholesome Granola
100% Whole Grain
No Added Sugar
No Artificial Flavors
No Preservatives

ORGANIC
WHOLE GRAIN
CEREAL
No Added Sugar
No Artificial Flavors
No Preservatives

Wholesome Granola
100% Whole Grain
No Added Sugar
No Artificial Flavors
No Preservatives

Large Cheese
Cream

Large Cheese
Cream

A2 Heavy Cream

Great...

Turkey Broth

GM

SM



EXHIBIT 16

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA,	:	
	:	
Plaintiff,	:	CIVIL ACTION
	:	NO. 19-cv-1435
v.	:	
	:	
MILLER’S ORGANIC FARM and	:	
AMOS MILLER,	:	
	:	
Defendants.	:	

SECOND CONSENT DECREE

WHEREAS, on November 19, 2019 in this action, the Court granted summary judgment in favor of plaintiff United States and entered permanent injunctive relief, enjoining defendants Amos Miller and Miller’s Organic Farm from committing continuing violations of the Federal Meat Inspection Act, 21 U.S.C. § 601, et seq. (“FMIA”), and the Poultry Products Inspection Act, 21 U.S.C. § 451, et seq. (“PPIA”) (collectively, “the Acts”) (Dkt. Entry No. 44) (the “November 2019 Injunction Order”);

WHEREAS, on April 16, 2020, also in this action, the Court entered a Consent Decree (the “First Consent Decree”) enforcing the November 2019 Injunction Order (Dkt. Entry No. 67);

WHEREAS, on June 14, 2021, the United States filed a separate but related *in rem* action captioned as *United States of America v. (1) 1,576 Lbs., More or Less, of Poultry Carcasses; (2) 274 Lbs., More or Less, of Chicken Feet, Heads, Livers, Gizzards, and Carcass Trimmings; (3) 650 Lbs., More or Less, of a Beef Carcass and 2 Beef Heads; and (4) 600 Lbs., More or Less, of Hog Carcasses*, which remains pending in this Court at Docket No. 21-cv-2638 (hereafter referred to as “the Second Condemnation Action”);

WHEREAS, in that Second Condemnation Action, on June 24, 2021, the U.S. Marshals Service arrested/seized the articles named as defendants there, but left the articles in place (frozen and stored) at Miller Organic Farm, pending a condemnation hearing (Civil Action No. 21-cv-2638, ECF Nos. 2, 3);

WHEREAS, on July 22, 2021, in this injunction action, the Court entered an Order (the “First Contempt Sanctions Order,” ECF No. 105) that, among other things, further enforced the November 2019 Injunction Order by imposing civil contempt sanctions;

WHEREAS, on September 8, 2021, the U.S. Department of Agriculture’s Food Safety and Inspection Service (“USDA-FSIS”) detained various poultry articles at two adjacent farm properties that defendant Amos Miller owns in Bird-in-Hand, Pennsylvania;

WHEREAS, on February 3, 2022, under Federal Rule of Evidence 706, the Court appointed George David Lapsley as the Court’s expert charged with helping the Court to assess defendants’ compliance with the Court’s injunction-related and contempt orders in this action (ECF 142);

WHEREAS, on February 7, 2022, also in this action, the Court entered a further Order (the “Second Contempt Sanctions Order”) that, in relevant part, required defendants to pay as civil contempt sanctions, by March 7, 2022: (1) \$55,065.72 to reimburse certain of USDA-FSIS’ enforcement costs; and (2) into the Court’s registry, a purgeable \$250,000 fine (initially imposed on July 22, 2021) to be used to pay for (a) Mr. Lapsley’s costs and fees, (b) approved compliance and enforcement costs, and (c) possibly any unpaid fees of defendants’ then-attorney (Steven Lafuente, Esquire), whose representation Amos Miller had repeatedly sought to end (ECF 143, at ¶¶ 142-157);

WHEREAS, the Second Contempt Sanctions Order further included injunctive provisions requiring defendants, among other things: (1) immediately to cease amenable meat and poultry operations and activities; (2) to inventory—and to identify to Mr. Lapsley and USDA-FSIS—amenable meat and poultry products; (3) not to move those products without USDA-FSIS permission; and (4) to proceed under Mr. Lapsley’s supervision, and only with USDA-FSIS’ verification and approval, when “liquidating” any of (a) the inventory and/or (b) the arrested/seized products that are the subject of the Second Condemnation Action (ECF 143, ¶¶ 116-118, 121-141);

WHEREAS, on March 15, 2022, at Mr. Lapsley’s request, the Court ordered the U.S. Marshals Service to accompany Mr. Lapsley on his March 17, 2022 visit to Miller’s Organic Farm (ECF 152);

WHEREAS, on July 29, 2022, based on a motion of the United States that was grounded on the defendants not yet having paid the ordered civil contempt sanction amounts, the Court ordered defendants to show cause at an in-person hearing (which was later continued to December 16, 2022) why an order should not be entered further coercing and enforcing those overdue payments (ECF 183, at p. 1.);

WHEREAS, on September 23, 2022, the Court granted the application of Robert Barnes, Esquire to appear on behalf of defendants (ECF 193), and relatedly, on October 20, 2022, the Court granted defendants’ various motions to dismiss Mr. Lafuente as their counsel of record (ECF 197);

WHEREAS, as used in this Second Consent Decree, “amenable” refers to beef, hogs, sheep, goats, and poultry that are subject to the Acts and their implementing regulations that USDA-FSIS enforces;

WHEREAS, the parties (the United States of America, Amos Miller, and Miller’s Organic Farm)—in an effort to moot the necessity of the December 16, 2022 show cause hearing, and to conclude the disposition of the inventoried, detained, and arrested/seized products—have reached agreement upon the following provisions, and these parties consent to the Court’s entry of the following provisions (the “Second Consent Decree”) as a judgment in this action;

NOW, THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED as follows:

FINE/SANCTION PAYMENTS

1. With regard to the previously ordered coercive civil contempt fine amount (see Second Contempt Sanctions Order, at paragraph 153), defendants Amos Miller and Miller’s Organic Farm will pay \$30,000 into the Court’s registry within 10 days of the Court’s signing of this Second Consent Decree. This sum will be used to reimburse: (a) Mr. Lapsley’s fees/expenses to date; (b) the U.S. Marshals Service’s fees/expenses for accompanying Mr. Lapsley on his March 17, 2022 farm site visit; and (c) Mr. Lapsley’s ongoing fees and expenses in reporting on compliance with certain terms of this Second Consent Decree and of the Second Contempt Sanctions Order. Payment of the \$30,000 sum into the Court’s registry will be made in accordance with the Administrative Office of the U.S. Courts’ November 2018 “Instructions for

Accepting Fedwire . . . Transactions through the U.S. Department of the Treasury’s Credit Gateway,” a copy of which the U.S. Attorney’s Office will provide to defendants’ counsel.

2. With regard to the previously ordered compensatory civil contempt sanction amount of \$55,065.72 (which was ordered to reimburse certain of USDA-FSIS’s investigative costs), this amount will be payable in two installments. The first installment of \$27,543.86 is due by January 15, 2023, and the second installment of \$27,543.86 is due by April 15, 2023. These payments will be made to the U.S. Attorney’s Office, which will send payment instructions to defendants’ counsel.

3. The show cause hearing scheduled for December 16, 2022 will be continued and held in abeyance until defendants make these three payments.

4. Other previously ordered coercive civil contempt fine amounts will be held in abeyance to give defendants an opportunity to show compliance under their new counsel, attorney Robert Barnes.

5. This agreement of the parties on such payment amounts is without prejudice to the United States’ ability, in the event of future non-compliance, to ask the Court to enforce the coercive civil contempt fine amounts held in abeyance and to seek additional compensatory civil contempt sanctions (for example, in the form of reimbursement of further USDA-FSIS investigative costs).

6. The parties’ agreement on the payment amounts is likewise without prejudice to defendants’ ability later to argue that they have achieved sufficient compliance over a sufficient period such that the civil contempt fine payment amounts held in abeyance should be rescinded.

DISPOSAL OF INVENTORIED, DETAINED AND ARRESTED/SEIZED PRODUCTS BY DECEMBER 31, 2022

7. The parties agree that defendants will have until December 31, 2022 to dispose of all amenable meat and poultry products that the United States, USDA-FSIS, Mr. Lapsley, or the U.S. Marshals Service have previously inventoried, detained, or arrested/seized. These products include but are not limited to arrested/seized products that are the subject of the Second Condemnation Action. Any such pre-January 1, 2023 disposition of meat and poultry products under this paragraph is subject to the following:

a. **Dispositions of Inventoried and Detained Products By December 31, 2022.** Regarding the meat and poultry products that (i) USDA-FSIS has detained but that have not been arrested/seized and (ii) that Mr. Lapsley previously inventoried but that have not been arrested/seized, all such products, until December 31, 2022, may continue to be distributed to Miller's Organic Farm members, under Mr. Lapsley's and USDA-FSIS' oversight, as provided in the Second Contempt Sanctions Order.

b. **Dispositions of Arrested/Seized Products by December 31, 2022.** Regarding arrested/seized products (which were produced without federal inspection), on the other hand, such products may not be: (i) sold; (ii) transferred to Miller's Organic Farm members; (iii) distributed to Miller's Organic Farm members; (iv) donated; or (v) further processed into products for sale/transfer/distribution/donation. Rather, arrested/seized products must be either voluntarily destroyed or released for personal use in accordance with the following paragraph(s).

c. **Release for Personal Use Allocations by December 31, 2022.** With the exception of the arrested beef carcass and arrested beef heads that contain potential adulterants

and that are referred to in the Second Contempt Sanctions Order, USDA-FSIS will, by the December 31, 2022 deadline, upon defendants' request, release any remaining inventoried, detained, and/or arrested/seized products for personal use allocations (consistent with Paragraph 14 of the November 2019 Injunction Order in this action), but only if those allocations are:

- i. limited to Amos Miller, his family members living with him at his Bird-in-Hand home, and/or Miller's Organic Farm's on-farm employees;
- ii. permanently marked with the individual owner's name and "Not for Sale";
- iii. if stored at Miller's Organic Farm, kept separate/distinct from all other products (which will require that defendants stage/move these personal use allocation products, such as to an outside freezer or other acceptable, distinct, and separate on-farm storage location);
- iv. allocated in amounts not exceeding USDA-FSIS retail limits and in discrete units, as currently packaged;
- v. not sold, donated, or made into products (such as broth) to be sold or donated;
- vi. documented in records available for USDA-FSIS' review; and
- vii. subject to USDA-FSIS' and Mr. Lapsley's oversight and verification.

d. **Use for the Miller family's pets.** Products released for personal use allocations in accordance with the above restrictions may be turned into food for Mr. Miller's (and his family members') own pets.

e. **Restrictions on the Arrested Beef Carcass/Heads.** Any Specified Risk Materials (“SRMs”) must be removed and properly disposed of (all as verified by a USDA-FSIS veterinarian) from the arrested beef carcass and arrested beef heads in which USDA-FSIS identified potential adulterants. After such removal (which will require thawing/staging by the defendants), the remainder of the carcass and heads will be eligible for disposition according to the disposition procedures in this Second Consent Decree.

f. **Sales of Arrested/Seized Products to Pet Food Manufacturer(s) By December 31, 2022.** Defendants are not licensed to, and therefore may not, *themselves* manufacture (or have manufactured) any of the arrested/seized products into pet food to be (i) sold to anyone; (ii) donated to anyone; (iii) otherwise transferred to Miller’s Organic Farm’s members; or (iv) otherwise distributed to Miller’s Organic Farm’s members. Nevertheless, on or before December 31, 2022, defendants may sell all or part of the arrested/seized products for manufacture as pet food by a *licensed manufacturer*, but only: (i) after providing USDA-FSIS with the name of the licensed pet food manufacturer that will manufacture the pet food; (ii) after providing USDA-FSIS with a copy of defendants’ contract/written agreement with the manufacturer; and (iii) by maintaining related records for FSIS’ observation.

POST-DECEMBER 31, 2022 PRODUCT DESTRUCTION/DENATURING/DIVERSION

8. Any previously inventoried, detained, or arrested/seized product(s) that remain(s) in defendants’ possession, custody, or control after December 31, 2022 will be subject to immediate destruction/denaturing. Acceptable destruction methods and means include (once the product is properly denatured/decharacterized under USDA-FSIS’ supervision): (a) deposit in a

landfill; (b) deposit in compost; (c) rendering; and/or (d) diverting the product to pet food, subject to the following:

a. For USDA-FSIS to permit diversion to pet food, defendants—before diverting in this manner—must provide to USDA-FSIS: (i) the name of a licensed pet food manufacturer; and (ii) a copy of defendants’ contract/written agreement with the licensed pet food manufacturer; and

b. Defendants must have and maintain records and contracts relating to any chosen means of product destruction or diversion.

GENERAL PROVISIONS

9. If and when the pending Second Condemnation Action becomes moot based on satisfaction of the above-discussed terms relating to the arrested/seized products that are the subject of that action, the parties will jointly so notify the Court and request that the action be dismissed with prejudice.

10. Except to the extent either directly contrary to (or expressly superseded by) the terms of this Second Consent Decree, or already made moot, the Court’s November 2019 Injunction Order, the First Consent Decree, the First Contempt Sanctions Order, and the Second Contempt Sanctions Order remain fully in effect.

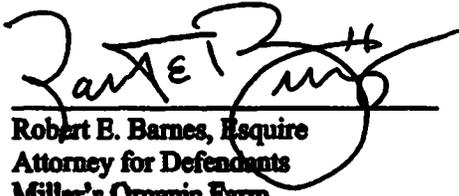
11. Defendants agree to cooperate with Mr. Lapsley’s and USDA-FSIS’ efforts to verify compliance with the terms of this Second Consent Decree.

12. Pursuant to the November 2019 Injunction Order, which remains in effect, the Court retains jurisdiction to issue further decrees and orders as may be necessary to construe, carry out, modify, or enforce compliance with this Second Consent Decree. Should the

defendants fail to abide by and perform all the terms and conditions set forth herein or in such further decrees as may be entered in this action, the United States of America shall apply only to this Court for relief, and any alleged violation of this Decree shall be adjudicated by the Court.

13. This Decree may be executed in one or more counterparts, each of which shall be deemed to be an original and all of which shall together constitute one and the same integrated Decree. A facsimile signed copy of this Decree shall have the same force and effect as an original signed copy.

AGREED AND CONSENTED TO:



Robert E. Barnes, Esquire
Attorney for Defendants
Miller's Organic Farm
and Amos Miller

JACQUELINE C. ROMERO
United States Attorney

/s/ Charlene Keller Fullmer, for

Gregory B. David
Assistant United States Attorney
Chief, Civil Division

GERALD SULLIVAN
Digitally signed by
GERALD SULLIVAN
Date: 2022.12.09
07:52:33 -0500

Fernando I. Rivera
Gerald B. Sullivan
Assistant United States Attorneys

SO ORDERED THIS 13th DAY OF December, 2022.

BY THE COURT:

/s/ Edward G. Smith

EDWARD G. SMITH, J.

EXHIBIT 17

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA,	:	
	:	
Plaintiff,	:	CIVIL ACTION
	:	NO. 19-cv-1435
v.	:	
	:	
MILLER’S ORGANIC FARM and	:	
AMOS MILLER,	:	
	:	
Defendants.	:	

THIRD CONSENT DECREE

WHEREAS, on November 19, 2019, the Court entered a permanent injunction (ECF 44) (the “November 2019 Injunction Order”) against Amos Miller and Miller’s Organic Farm (collectively, “Defendants” or “Miller’s”) in this action that arises under the Federal Meat Inspection Act, 21 U.S.C. § 601, et seq. (“FMIA”), and the Poultry Products Inspection Act, 21 U.S.C. § 451, et seq. (“PIA”) (collectively, “the Acts”);

WHEREAS, on February 7, 2022, the Court entered an enforcement Order (the “Second Contempt Sanctions Order”) that included further injunctive provisions and benchmarks for assessing Defendants’ future compliance (ECF 143, ¶¶ 116-119, 154-55);

WHEREAS, as used in this Third Consent Decree, “amenable” refers to beef, hogs, sheep, goats, and poultry that are subject to the Acts and their implementing regulations that USDA/FSIS enforces;

WHEREAS, as used in this Third Consent Decree, “and” and “or” are not intended as words of limitation;

WHEREAS, the parties (the United States of America, Amos Miller, and Miller’s Organic Farm) have reached agreement and specifically consent to the Court’s entry of

the below-described provisions (the “Third Consent Decree”) as a further judgment in this action;

NOW, THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED as follows:

1. In order to clarify that Defendants may now market and sell amenable meats and poultry from third-party, **USDA-inspected establishments** to Defendants’ customers, Paragraph 118 of the Court’s Second Contempt Sanctions Order is modified to permit Defendants to take, to send, or to have sent/delivered to any USDA/FSIS-inspected establishment (and only to USDA/FSIS-inspected establishments) amenable livestock and poultry for slaughter and processing for human consumption.

2. Under that same Paragraph 118, Defendants remain precluded from **themselves** conducting livestock/poultry slaughter and processing that are intended for sale, resale, offer for sale, transportation, donation, or distribution to Defendants’ customers or elsewhere. This does not preclude, however, slaughter and processing that is for Amos Miller’s or his family members’ personal consumption to the extent consistent with 9 C.F.R. §§ 303.1(a) and 381.10(a)(3), because such personal-use slaughter and processing remains permitted under the Court’s orders.

3. Under Paragraph 118 of the Second Contempt Sanctions Order, Defendants also remain precluded from **themselves** receiving, handling, and storing any amenable meat or poultry products that are intended for sale, resale, offer for sale, transportation, donation, or distribution to Miller’s customers or elsewhere. The amenable products to which this continuing injunction applies include but are not

limited to: (a) meat and poultry products produced as permitted in Paragraph 1, above; (b) non-federally inspected meat and poultry products; and (c) “exempt” meat and poultry products. This continuing injunction applies regardless of whether such amenable products are marked “Private Membership Association,” “Not for Sale,” “Not for Resale,” or “Exempt(ed) P.L. 90-492.”

4. For any USDA/FSIS-inspected and passed meat, poultry, meat food products, and poultry products produced for or on behalf of Miller’s, only a federally inspected establishment or a properly licensed distributor—such as a State-licensed warehouse or distributor—may store and distribute the articles or products. This requirement applies, for example, when such an establishment or distributor fulfills orders from Miller’s customers.

5. No amenable meat, poultry, meat food products, or poultry products produced for or on behalf of Miller’s (including any unwanted or condemned articles such as lungs, “specified risk materials,” and other condemned items) may be returned or transported to, or stored at, any Miller’s location for purposes of further distribution, offer for sale, sale, or donation to Defendants’ customers. As used in this paragraph, “any Miller’s location” includes, but is not limited to, Miller’s properties at 648 Mill Creek School Road and 672 Mill Creek School Road in Bird-in-Hand, Pennsylvania, and any other location owned by or leased by Defendants, any successor in interest, or their agents or employees. This Paragraph 5 does not preclude Defendants from contracting with other individuals and entities for distribution, offer for sale, sale, or donation of Miller’s amenable meat, poultry, meat food products, and poultry products to Defendants’ customers.

6. Paragraphs 118 and 119 of the Second Contempt Sanctions Order are modified to allow Defendants and their agents to advertise and market USDA/FSIS-inspected and passed meat, poultry, meat food products, and poultry products on Defendants' and their agents' existing web platforms, but only on condition that all such articles and products are produced, handled, and distributed in accordance with the above paragraphs. Further, these modifications do not affect Defendants' independent responsibility for complying with relevant provisions of the laws of the Commonwealth of Pennsylvania.

7. The limited modifications to the Second Contempt Sanctions Order that are stated above will remain in effect only on condition (and to the extent) that Defendants provide to the United States, in writing, advance written notice specifically identifying: (a) the name and address of any federally inspected establishment that Miller's will be using for slaughter or processing under Paragraph 1, above; (b) the names and addresses of distributors where such articles and resulting products will be held and stored and from which they will be distributed; (c) the name and address of any person/entity that will be taking Miller's online orders for amenable meat, poultry, meat food products, or poultry products; (d) the method(s) for customer ordering of the articles and products (in-person, call-in, fax, etc.); (e) who (or what entity) will be shipping the articles and products from federal establishments to distributors; (f) who (or what entity) will be recording and maintaining the inventory of the articles and products; and (g) who (or what entity) will be creating and maintaining all related records and contracts. Such written notice may be by email and must be provided to the

undersigned Assistant United States Attorneys at least ten business days before the first use of each such establishment, distributor, entity, person, and method.

8. The above-stated, limited modifications to the Second Contempt Sanctions Order are effective only on further condition that Defendants create, maintain, and make immediately available to USDA/FSIS, upon the agency's request, contemporaneous records documenting all meat-and-poultry-related transactions and distributions, as required under 21 U.S.C. §§ 460(b) and 642 and 9 C.F.R. §§ 320.1 and 381.175.

9. This agreement of the parties is without prejudice to the United States' ability, in the event of future non-compliance, to ask the Court to reimpose the above-modified provisions in their pre-modified or another form.

10. This agreement is likewise without prejudice to Defendants' ability later to argue that they have achieved further compliance over such a sufficient period that further relief from the Court's orders should be granted.

11. Except to the extent either directly contrary to (or expressly superseded by) the terms of this Third Consent Decree, or already made moot, the Court's November 2019 Injunction Order (including its provisions regarding "custom exempt" and "retail exempt" operations), Second Contempt Sanctions Order, and other enforcement orders remain fully in effect.

12. The Court contemplates that USDA/FSIS, within that agency's jurisdiction, will continue to conduct oversight of Defendants and will continue to take appropriate product control and enforcement action in the event of violations of the Acts.

13. Defendants agree to cooperate with USDA/FSIS' efforts to verify compliance with the terms of this Third Consent Decree.

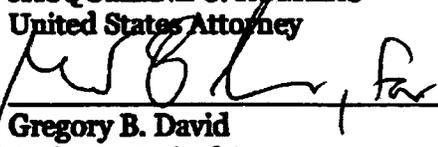
14. Under the November 2019 Injunction Order, the Court retains jurisdiction to issue further decrees and orders as may be necessary to construe, carry out, modify, or enforce compliance with this Third Consent Decree. Should Defendants fail to abide by and perform all the terms and conditions set forth herein or in such further decrees as may be entered in this action, the United States of America shall apply only to this Court for relief, and any alleged violation of this Decree shall be adjudicated by the Court.

15. This Decree may be executed in one or more counterparts, each of which shall be deemed to be an original and all of which shall together constitute one and the same integrated Decree. A facsimile signed copy of this Decree shall have the same force and effect as an original signed copy.

AGREED AND CONSENTED TO:



Robert E. Barnes, Esquire
Attorney for Defendants
Miller's Organic Farm
and Amos Miller

JACQUELINE C. ROMERO
United States Attorney


Gregory B. David
Assistant United States Attorney
Chief, Civil Division



Fernando L. Rivera
Gerald B. Sullivan
Assistant United States Attorneys

SO ORDERED THIS 4th DAY OF August , 2023.

BY THE COURT:

/s/ Edward G. Smith

EDWARD G. SMITH, J.

EXHIBIT 18

COMMONWEALTH OF PENNSYLVANIA
Department of Agriculture

Order Confirming Detention of Adulterated and Misbranded Food

This Order is issued by the Pennsylvania Department of Agriculture under authority of the Food Safety Act (3 Pa. C.S.A. §§ 5721-5737). It confirms a Detention Order that was imposed by PDA food safety enforcement personnel on January 4, 2024, with respect to the food and articles described below. The referenced Order follows:

I. Statement of Facts and Conclusions of Law.

1. The Pennsylvania Department of Agriculture (“PDA” or “Department”) administers and enforces the Food Safety Act, the Milk Sanitation Law (31 P.S. §§ 645-660g) and its attendant regulations (at 7 Pa. Code Chapter 59a).

2. The Food Safety Act (at 3 Pa. C.S.A. § 5723(1), (2), and (11)) prohibits the following acts:

(1) Manufacture, sale, delivery, consignment, bailment, holding or offering for sale of any food that is adulterated or misbranded, except where a person in good faith delivers or offers to deliver the food and furnishes shipping documents to the secretary.

(2) Adulteration or misbranding of any food.

* * * * *

(11) Failure to register with the department under the provisions of section 5734 (relating to registration of food establishments).

3. Section 5726(a) of the Food Safety Act authorizes PDA to detain food where there is probable cause to believe that food is adulterated or misbranded. The statutory provision relating to detention and condemnation of food states, in relevant part:

§ 5726. Detention and condemnation

(a) Marking detained food-- Whenever the secretary has probable cause to believe that food is adulterated or misbranded, he shall affix to the container or wrapping a tag or other marking. The tag or marking shall give notice that:

(1) The food may be adulterated or misbranded and shall be detained.

(2) It is unlawful to remove the food from the food establishment or to dispose of it without approval of the secretary.

4. Section 5734 of the Food Safety Act prohibits any person from operating a food establishment within the Commonwealth without first registering with PDA. *See* 3 Pa. C.S.A. § 5734(a). A food establishment is defined under Section 5722 as “[a] room, building or place or portion thereof... used or operated for the purpose of commercially... processing...or otherwise preparing, transporting or handling food.” 3 Pa. C.S.A. § 5722.

5. The Milk Sanitation Law and its regulations allow for the manufacture and sale of fluid raw milk and 60-day-aged raw milk cheese only if the milk has been produced by a dairy farm that has passed an inspection by PDA or a PDA-approved inspector; the milk has been tested for somatic cell count, standard plate count (bacteria) and antibiotics; and the fluid raw milk or aged cheese is manufactured at a facility holding a valid permit from PDA.

6. On January 4, 2024, PDA food safety enforcement personnel visited the premises of Miller's Organic Farm at 648 Mill Creek School Road, Bird in Hand, PA 17505 (the "Facility") to execute a search warrant for adulterated or misbranded food, sampling, and records as authorized under Section 5732(a)(2) and (3) of the Food Safety Act (relating to inspection, sampling and analysis). At the time of search, the Facility did not have a valid Milk Permit or Food Establishment Registration with PDA.

7. The warrant sought, among other things: illegal raw milk and raw milk products, including samples for testing and analysis, and access to or copying of records and shipping documents at the Facility. A copy of the search warrant is attached as Exhibit "A." The search was part of an active investigation into two food-borne illness cases in which persons reported consuming food products from the Facility and had tested positive for STEC (*Shiga toxin producing E.coli*).

8. While conducting the above-referenced search, PDA inspectors observed several walk-in coolers and freezers full of different types of milk and food products being manufactured or held for delivery and intended for sale to consumers. Products observed and inventoried included, but are not limited to, various types of raw meats, raw milk products, ice cream, and cheese. None of the raw milk products are approved to be manufactured or sold for human consumption under the Milk Sanitation Law. Further, all of these products were produced, prepared, or packed in an unregistered and uninspected food establishment. A copy of the Return of Service and Inventory is attached as Exhibit "B," and lists some of the products obtained by PDA for sampling purposes. The detention notices referenced in Paragraph No. 17 below identify the additional products being held for sale and observed by PDA staff.

9. PDA inspectors further observed the milk and food packages did not contain product labeling with the required product information under Section 5729(a)(5) of the Food Safety Act, including net weight, ingredient lists, or business information, or otherwise conform with the act's labeling requirements.

10. Under Section 5728 of the Food Safety Act (relating to adulteration of food), a food is deemed to be "adulterated" if it "has been produced, prepared, packed or held under unsanitary conditions so that it may have become contaminated with filth or may have been rendered diseased, unwholesome or injurious to health." 3 Pa. C.S.A. § 5728 (6).

11. The milk and food products identified in Paragraph No. 8 above were manufactured, prepared, transported, or handled in an unregistered and uninspected food establishment. Further, the raw milk products were manufactured without a milk permit and under conditions for which no testing or safety standards have been established, in violation of the Milk Sanitation Law and its attendant regulations. Accordingly, PDA had probable cause to detain the products being held

for sale at the Facility as “adulterated” since they were produced under such conditions that may have rendered the products unwholesome or injurious to health.

12. Under the Food Safety Act (at 3 Pa. C.S.A. § 5729(a)(1) and (6)), relating to misbranding of food, a food is deemed to be “misbranded” if:

(1) ... its label is false or misleading in anyway...

(6) ... it is represented as a food for which a definition and standard of identity has been prescribed by regulation under this subchapter or under any of the Federal acts, unless it conforms to the definition and standard...

13. Food is also deemed to be “misbranded” if it does not conform with the applicable labeling requirements prescribed in Section 5729(a)(5), (6), and (7) of the Food Safety Act. The labeling for packaged food must include:

(a)(5)(i) The name and place of business of the manufacturer, packer or distributor.

(a)(5)(ii) An accurate statement of the quantity of the contents in terms of weight, measure or numerical count.

* * *

(a)(6) If it is represented as a food for which a definition and standard of identity has been prescribed by regulation under this subchapter or under any of the Federal acts... [labeling that] bears the name of the food specified in the definition and standard...

(a)(7)(i) The common or usual name of the food, if any.

(a)(7)(ii) ...the common or usual name of each ingredient...

14. Because the milk and food products identified in Paragraph No. 8 above did not conform with the package labeling requirements prescribed under the Food Safety Act, as described in Paragraph No. 12 and 13 above, PDA had probable cause to deem all these products “misbranded.”

15. Based upon the determination that probable cause existed to believe the milk and food products identified in Paragraph No. 8 above were “adulterated” and “misbranded” on January 4, 2024, the PDA inspectors detained these products by placing on the packages, or containers holding such packages, orange-colored stickers stating:

PRODUCT UNDER DETENTION ORDER
Not to be moved or used without
Authorization of the PA. DEPT. of AGRICULTURE

16. Notices were placed on the packages, or containers holding such packages, that stated: (1) The food may be adulterated or misbranded and shall be detained; and (2) It is unlawful to

remove the food or to dispose of it without approval of the Secretary of the Pennsylvania Department of Agriculture. A copy of the Detention Order notices are attached as Exhibit "C."

17. Pursuant to Section 5726(b) of the Food Safety Act, the Detention Order issued by the PDA Inspector on January 4, 2024, would expire as of January 11, 2024, (five working days after it was issued), "... unless the secretary (of PDA) confirms the order" before it expires. 3 Pa. C.S.A. § 5726(b) (clarification added).

18. This Order confirms the Detention Order issued by the PDA Inspector, as described above.

19. The Secretary of PDA shall determine the ultimate disposition of food and articles detained under the Detention Order issued on January 4, 2024 within forty (40) days, as required under Section 5726(b) of the Food Safety Act:

(b) Determination and appeal.-- The secretary shall determine whether a food detained under this act may be sold, delivered, consigned, held or offered for sale as is or whether it shall be relabeled, reprocessed or destroyed within 40 days of issuance of the detention order. Any determination by the secretary that the food shall be relabeled, reprocessed or destroyed shall be subject, within 30 days of the determination, to appeal by the owner or operator of the food establishment or the manufacturer or owner of the food to the court of common pleas of the county in which the food was located. The detention order shall expire after five working days from the issuance of the order, unless the secretary confirms the order. The order shall clearly and concisely state the facts on which it is based.

II. Order.

The Pennsylvania Department of Agriculture hereby orders the following:

A. The Statement of Facts and Conclusions of Law (Paragraph Nos. 1 through 19) set forth above are incorporated into this Order as if set forth at length.

B. The Detention Order by which PDA detained the food products described in Paragraph No. 8 above, is hereby *confirmed* pursuant to the Food Safety Act, at 3 Pa. C.S.A. § 5726(b).

C. It is the determination of this office that probable cause exists to believe that the food products described in Paragraph No. 8 above, were produced in violation of the Food Safety Act and are *adulterated and misbranded*, as defined in the Food Safety Act, at 3 Pa. C.S.A. §§ 5728 and 5729.

D. The Secretary has hereby determined the food products described in Paragraph No. 8 above *may not be sold, delivered, consigned, held or offered for sale* until the Secretary issues his determination in accordance with 3 Pa. C.S.A. § 5726(b).

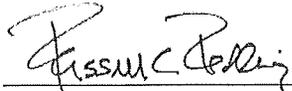
E. The provisions of this Order are effective immediately.

F. Copies of this Order shall be mailed or delivered to:

Miller's Organic Farm
Amos Miller
648 Mill Creek School Road
Bird in Hand, PA 17505

This Order is issued on January 11, 2024.

BY THE PENNSYLVANIA DEPARTMENT OF AGRICULTURE

A handwritten signature in cursive script, appearing to read "Russell C. Redding", is written over a horizontal line.

Russell C. Redding, Secretary

Exhibit “A”

Search Warrant

Commonwealth of Pennsylvania



APPLICATION FOR SEARCH WARRANT AND AUTHORIZATION

COUNTY OF Lancaster

Docket Number (Issuing Authority):

Police Incident Number:

Warrant Control Number:

Melissa White

PA Department of Agriculture

717-649-9678

1-3-24

AFFIANT NAME

AGENCY

PHONE NUMBER

DATE OF APPLICATION

IDENTIFY ITEMS TO BE SEARCHED FOR AND SEIZED (Be as specific as possible):

Search for raw milk and other illegal mfd raw milk products, such as Egg Nog, and any unapproved food items on the premises for sale / shipment to customers--detain and sample such food products. Search all buildings on the property for evidence of mfg, retail sales, storage of food or dairy items intended for sale, to include internet sales. Perform environmental swabbing of any food or milk equipment and production areas identified and sample in-process product. Search for records indicating selling of foods or dairy products to consumers.

SPECIFIC DESCRIPTION OF PREMISES AND/OR PERSON TO BE SEARCHED (Street and No., Apt. No., Vehicle, Safe Deposit Box, etc.): Social security numbers and financial information (e.g. PINS) should not be listed. If the identity of an account number must be established, list only the last four digits. 204 Pa.Code §§ 213.1 - 213.7.

Buildings located on 648 Mill Creek School Rd, Bird in Hand, PA, 672 Mill Creek School Rd, Bird in Hand, PA, and any adjacent properties owned by Amos Miler, Becky Miller and associated legal buisnesses inclusive of, but not limited to, Miller's Organic Farm, Miller Camel Farm LLC, and Bird in Hand Grass Fed Meats LLC.

NAME OF OWNER, OCCUPANT OR POSSESSOR OF SAID PREMISES TO BE SEARCHED (If proper name is unknown, give alias and/or description):

Amos Miller, Rebecca (Becky) Miller (& any associated legal entities)

VIOLATION OF (Describe conduct or specify statute):

3 Pa. C.S.A. 5723(1)(2)(5)(11)(14); 3 Pa. CSA 5703-5704, 31 P.S.646, 650-660

DATE(S) OF VIOLATION:

ongoing

Warrant Application Approved by District Attorney - DA File No. (If DA approval required per Pa.R.Crim.P. 202(A) with assigned File No. per Pa.R.Crim.P. 507)

Additional Pages Attached (Other than Affidavit of Probable Cause)

Probable Cause Affidavit(s) MUST be attached (unless sealed below) Total number of pages:

TOTAL NUMBER OF PAGES IS SUM OF ALL APPLICATION, PROBABLE CAUSE AND CONTINUATION PAGES EVEN IF ANY OF THE PAGES ARE SEALED

The below named Affiant, being duly sworn (or affirmed) before the Issuing Authority according to law, deposes and says that there is probable cause to believe that certain property is evidence of or the fruit of a crime or is contraband or is unlawfully possessed or is otherwise subject to seizure, and is located at the particular premises or in the possession of the particular person as described above.

Signature of Affiant

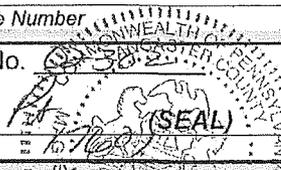
PA Department of Agriculture Agency or Address if private Affiant

936 Badge Number

Sworn to and subscribed before me this 3 day of Jun 2024. Mag. Dist. No. 20302

Signature of Issuing Authority

Office Address 15 Bush Rd Lancaster PA



SEARCH WARRANT TO LAW ENFORCEMENT OFFICER:

WHEREAS, facts have been sworn to or affirmed before me by written affidavit(s) attached hereto from which I have found probable cause, I do authorize you to search the premises or person described, and to seize, secure, inventory and make return according to the Pennsylvania Rules of Criminal Procedure.

This Warrant shall be served as soon as practicable and shall be served only between the hours of 6AM to 10PM but in no event later than: *

This Warrant shall be served as soon as practicable and may be served any time during the day or night but in no event later than: **

2:48 P M, o'clock 5 Jun 2024

* The issuing authority should specify a date not later than two (2) days after issuance. Pa.R.Crim.P. 205(4).

** If the issuing authority finds reasonable cause for issuing a nighttime warrant on the basis of additional reasonable cause set forth in the accompanying affidavit(s) and wishes to issue a nighttime warrant, then this block shall be checked. Pa.R.Crim.P. 206(7).

Issued under my hand this 3 day of Jun 2024 at 2:48 P M, o'clock.

Signature of Issuing Authority

Mag. Dist. or Judicial Dist. No. 20302

Date Commission Expires 1/3/32

Title of Issuing Authority: [X] Magisterial District Judge [] Common Pleas Judge []

For good cause stated in the affidavit(s) the Search Warrant Affidavit(s) are sealed for 3 days by my certification and signature. (Pa.R.Crim.P. 211)

Signature of Issuing Authority (Judge of the Court of Common Pleas or Appellate Court Justice or Judge). (Date) (SEAL)

TO BE COMPLETED BY THE ISSUING AUTHORITY

Commonwealth of Pennsylvania



AFFIDAVIT OF PROBABLE CAUSE

COUNTY OF Lancaster

Docket Number
(Issuing Authority):

Police Incident
Number:

Warrant Control
Number:

PROBABLE CAUSE BELIEF IS BASED UPON THE FOLLOWING FACTS AND CIRCUMSTANCES:

Social security numbers and financial information (e.g. PINS) should not be listed. If the identity of an account number must be established, list only the last four digits. 204 Pa.Code §§ 213.1 - 213.7.

Amos and Rebecca R. Miller, husband and wife, own, operate and do business through various legal entities and under various fictitious names and legal entities, including Miller's Organic Farm, Miller Camel Farm LLC, and Bird in Hand Grass Fed Meats LLC. The Pennsylvania Department of Agriculture has a long history with Amos Miller and Miller's Organic Farm dating back to 2016. As the Assistant Bureau Director with the Bureau of Food Safety and Laboratory Services (BFSLS) with the Pennsylvania Department of Agriculture (PDA) I have first hand knowledge of the following occurrences, and any involved BFSLS staff are under my supervisory chain of command.

On March 1, 2016 - Centers for Disease Control had sent out a notification to states which may have citizens participating in Miller's Organic Buyers Club related to two illnesses (1 CA, 1 FL) that were epidemiologically confirmed to be linked to Miller's Organic raw milk. On March 3, 2016 I participated on a federal/states call occurred to further discuss the issue. The firm is known to have history of noncompliance regarding raw milk interstate shipments which are prohibited by federal Law.

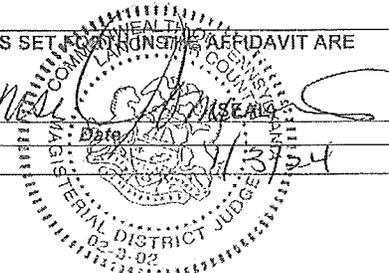
On March 22, 2016 PDA BFSLS Inspectors visited Miller's Organic Farm in conjunction with a USDA FSIS Compliance Officer, who was investigating illegal sales of meat and poultry products. My staff accessed Mr. Miller's retail store located at 648 Mill Creek Rd, Bird in Hand, PA. but were eventually asked to leave when they did not have a search warrant. On April 11, 2016, PDA BFSLS issued a warning / advisory letter explaining the obligations of a food establishment / retail food store / milk processor to be registered / licensed / permitted under PA statutes. On April 13, 2016 PDA received a response letter from Amos Miller quoting the 1st and 14th amendment as perceived right to private associations, and his refusal to become registered / licensed / permitted by PDA. On April 25, 2016 a second letter was received by PDA from Amos Miller stating that USDA and PDA did not have the 'right' to enter his property.

On January 30, 2020 - PDA had an meeting with Miller at the Miller Organic Farm, 648 Mill Creek Rd, Bird in Hand to discuss PDA BFSLS licensing, registration, permitting requirements. The meeting was held with a BFSLS Territory Supervisor and two Food Safety Inspectors and Mr. Miller, as Mr. Miller was court ordered as part of the federal USDA meat & poultry case, to become compliant with PDA requirements. On February 13, 2020, a follow-up notice was sent by the BFSLS Supervisor regarding the need for PDA licensing, registration, and permitting prior to sale of foods and milk. On March 25, 2020 PDA received a letter from Amos Miller stating that the facility was going to close operations. On April 23, 2020, the BFSLS Bureau Director at that time issued a response letter reinforcing that under PA statutes, 'Private' sales are still 'selling'. On October 23, 2020, pursuant to a federal court order in the ongoing USDA case, a joint meeting with USDA, PDA (Deputy Secretary Hostetter, myself, and a Bureau of Animal Health Veterinarian, Amos Miller and his counsel was held. Meeting purpose was to discuss all USDA and PDA requirements that apply to Miller's operations. Mr. Miller filed no applications with PDA for registration / licensing / or permitting following this meeting.

I, THE AFFIANT, BEING DULY SWORN ACCORDING TO LAW, DEPOSE AND SAY THAT THE FACTS SET FORTH IN THIS AFFIDAVIT ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF.

Shirley R. Morris
Affiant Signature Date

[Signature]
Issuing Authority Signature



Commonwealth of Pennsylvania



AFFIDAVIT OF PROBABLE CAUSE

COUNTY OF Lancaster

Docket Number
(Issuing Authority):

Police Incident
Number:

Warrant Control
Number:

PROBABLE CAUSE BELIEF IS BASED UPON THE FOLLOWING FACTS AND CIRCUMSTANCES:

Social security numbers and financial information (e.g. PINs) should not be listed. If the identity of an account number must be established, list only the last four digits. 204 Pa.Code §§ 213.1 - 213.7.

On September 8, 2021 a BFSLS Inspector accompanied USDA FSIS staff on one of their federal court ordered visits to Miller's Organic farm located at 648 Mill Creek Rd, Bird in Hand, PA. The Inspector witnessed Miller's retail store with customers present, observed various foods for sale and being delivered to the premises, as well as multiple coolers and freezers for food storage. On October 21, 2021 – USDA provided picture evidence to myself at from an inspection they conducted showing food products and invoices indicating shipment by Millers Organic Farm to customers in Miami, FL. On November 21, 2021 – I received a complaint from USDA, and had BFSLS Inspectors investigate a shipment of Millers food products, being stored at a warehouse owned by Cutone Mushrooms, Avondale, PA, which was to be shipped to NY. All product was placed under detention as being from unapproved sources, improperly labeled, and illegal raw milk products entering into interstate commerce. On November 23, 2021 PDA issued a Final Detention Order issued to Cutone Mushrooms for destruction of the products.

On December 19, 2023, I was informed by the NY state Department of Health of a confirmed positive case of a foodborne pathogen (STEC - Shiga toxin producing E.Coli) in an underage individual. The individual was found to have consumed ground beef and 'raw' egg nog. Both products were tested and the 'raw' egg nog was positive for STEC. The egg nog was reported to be from Millers Organic Farm. Pictures of product showed no labeling on the product, to include name of product or source identification. On December 28, 2023, the Michigan Department of Health and the Michigan Department of Agriculture reported to me through the Food & Drug Administration Branch Director for the Division of Milk Safety of an underage individual that that has a foodborne pathogen (STEC- Shiga toxin producing E.Coli). The individual indicated that they receive raw milk and other fluid milk products from Miller Organic Farm, as well as eggs, cheese, and meat products. Both NY and MI Department's of Health will be performing further testing (Whole Genome Sequencing) to confirm if the two cases are ill from the same food product. I have also been advised that a Health Advisor alert will be issued to neighboring states and the medical community through the PA Department of Health to be aware of other STEC cases that may arise, and to add raw milk food items to the questions that they ask of these patients.

PDA BFSLS is statutorily responsible for investigating and determining whether these ill individuals are a result of a food safety or public health failure from this Pennsylvania manufacturer of these milk and dairy products. In order to conduct an investigation BFSLS staff need to have access to the Miller Organic Farm to conduct inspections and environmental assessments, and review shipping records.

To-date, neither Amos Miller nor Rebecca Miller, have filed applications with PDA for registration, licensing, or permitting under the pertinent Retail Food Facility Safety Act, Food Safety Act, or Milk Sanitation Laws, and are currently in violation of each of these statutes for operating a retail food facility without licensing, operating a manufacturing and distribution firm without a food establishment registration and for manufacturing and distributing raw milk and other milk products without a permit. Furthermore, in violation of the Food Safety Act, distributed foods are misbranded, as they do not comply with required food labeling law; 'raw' milk products which are unapproved and adulterated under the law are being sold; and potentially foods adulterated with food pathogens as evidenced by the recent ill consumers.

I, THE AFFIANT, BEING DULY SWORN ACCORDING TO LAW, DEPOSE AND SAY THAT THE FACTS SET FORTH IN THE AFFIDAVIT ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF.

Shirley Morris 1-3-24
Affiant Signature Date

[Signature]
Issuing Authority Signature

[Signature]
Date

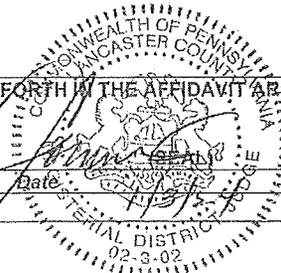


Exhibit “B”

Return of Service and Inventory

Commonwealth of Pennsylvania

RETURN of SERVICE
AND INVENTORY

COUNTY OF Lancaster

Docket Number
(Issuing Authority):Police Incident
Number:Warrant Control
Number:

Date of Search:

Time of Search:

Property Seized as result of Search (Y/N):

Date of Return:

Time of Return:

Officer making Return:

Signature of Person Seizing Property:

Other Officers Participating in Search:

Pa.R.Crim.P. Chapter 2000. SEARCH WARRANTS**Rule 2002A. Approval of Search Warrant Applications by Attorney for the Commonwealth – Local Option.**

- (a) The District Attorney of any county may require that search warrant applications filed in the county have the approval of an attorney for the Commonwealth prior to filing.

Rule 2004. Person To Serve Warrant.

A search warrant shall be served by a law enforcement officer.

Rule 2005. Contents of Search Warrant.

Each search warrant shall be signed by the issuing authority and shall:

- specify the date and time of issuance;
- identify specifically the property to be seized;
- name or describe with particularity the person or place to be searched;
- direct that the search be executed within a specified period of time, not to exceed 2 days from the time of issuance;
- direct that the warrant be served in the daytime unless otherwise authorized on the warrant, PROVIDED THAT, for purposes of the Rules of Chapter 2000, the term "daytime" shall be used to mean the hours of 6 a.m. to 10 p.m.;
- designate by title the judicial officer to whom the warrant shall be returned;
- certify that the issuing authority has found probable cause based upon the facts sworn to or affirmed before the issuing authority by written affidavit(s) attached to the warrant; and
- when applicable, certify on the face of the warrant that for good cause shown the affidavit(s) is sealed pursuant to Rule 2011 and state the length of time the affidavit(s) will be sealed.

Rule 2006. Contents of Application for Search Warrant.

Each application for a search warrant shall be supported by written affidavit(s) signed and sworn to or affirmed before an issuing authority, which affidavit(s) shall:

- state the name and department, agency, or address of the affiant;
- identify specifically the items or property to be searched for and seized;
- name or describe with particularity the person or place to be searched;
- identify the owner, occupant, or possessor of the place to be searched;
- specify or describe the crime which has been or is being committed;
- set forth specifically the facts and circumstances which form the basis for the affiant's conclusion that there is probable cause to believe the items or property identified are evidence or the fruit of a crime, or are contraband, or are otherwise unlawfully possessed or subject to seizure, and that these items or property are located on the particular person or at the particular place described;
- if a "nighttime" search is requested (i.e., 10 p.m. to 6 a.m.), state additional reasonable cause for seeking permission to search in the nighttime; and
- when the attorney for the Commonwealth is requesting that the affidavit(s) be sealed pursuant to Rule 2011, state the facts and circumstances which are alleged to establish good cause for the sealing of the affidavit(s).

Rule 2008. Copy of Warrant; Receipt for Seized Property.

- A law enforcement officer, upon taking property pursuant to a search warrant, shall leave with the person from whom or from whose premises the property was taken a copy of the warrant and affidavit(s) in support thereof, and a receipt for the property seized. A copy of the warrant and affidavit(s) must be left whether or not any property is seized.
- If no one is present on the premises when the warrant is executed, the officer shall leave the documents specified in paragraph (a) at a conspicuous location in the said premises. A copy of the warrant and affidavit(s) must be left whether or not any property is seized.
- Notwithstanding the requirements in paragraphs (a) and (b), the officer shall not leave a copy of an affidavit that has been sealed pursuant to Rule 2011.

Rule 2009. Return with Inventory.

- An inventory of items seized shall be made by the law enforcement officer serving a search warrant. The inventory shall be made in the presence of the person from whose possession or premises the property was taken, when feasible, or otherwise in the presence of at least one witness. The officer shall sign a statement on the inventory that it is a true and correct listing of all items seized, and that the signer is subject to the penalties and provisions of 18 Pa.C.S. Section 4904(b) - Unsworn Falsification To Authorities. The inventory shall be returned to and filed with the issuing authority.
- The judicial officer to whom the return was made shall upon request cause a copy of the inventory to be delivered to the applicant for the warrant and to the person from whom, or from whose premises, the property was taken.
- When the search warrant affidavit(s) is sealed pursuant to Rule 2011, the return shall be made to the justice or judge who issued the warrant.

**THE LAW ENFORCEMENT OFFICER SHALL MAKE ALL RETURNS TO THE ISSUING AUTHORITY
DESIGNATED ON THE SEARCH WARRANT.**

Commonwealth of Pennsylvania



**RECEIPT / INVENTORY
OF SEIZED PROPERTY**

COUNTY OF Lancaster

Docket Number
(Issuing Authority):

Police Incident
Number:

Warrant Control
Number:

Date of Search:

1/4/2024

Time of Search:

9:40 AM

Inventory Page Number:

1 of 2 Pages

Affiant

Agency or Address if private affiant

Badge No.

The following property was taken / seized and a copy of this Receipt / Inventory with a copy of the Search Warrant and affidavit(s) (if not sealed) was

personally served on (name of person) Amos Miller

was left at (describe the location)

Item Number	Quantity	Item Description	Make, Model, Serial No. Color, etc.
1		Raw milk sample from portable Bulk Tank outside	
2		Raw milk sample from VAT tank	
3		Cheese curd	
4	1	Plain Greek yogurt 1lb glass jar	
5	1 qt	A2 Creme Fraiche	
6	24	environmental samples	
7	1-1lb	A2 Cream Cheese	
8	1-1/2 gal	A2 Chocolate milk	
9	1-2.25 lbs	A2 yogurt	
10	1 Pint	A2 Strawberry Smoothie	
11	1 gal	A2 Grass fed white milk	
12		water sample from bulk tank room sink	
13	1 qt	cultured Buttermilk	
14	1 qt	A2 Light Cream	
15	1-1lb	A2 Cottage Cheese w/o Cream	
16	1-pint	A2 Egg Custard	
17	1-pint	A2 Sour Cream	
18	2 quarts	A2 Egg Noa	
19	1/2 gal	Creekside Raw Goat milk	
20	1-pint	Chocolate Ice Cream	
21	1-pint	Camel milk	
22	1-pint	Donkey milk	
23	1.18 lbs	Buffalo Jack Cheese	
24	1.08 lbs	A2 Salted Herbal Jack Cheese	
25	1.07 lbs	A2 Fraiser (Raw) homemade Rennet Cheese	
26	1.00 lbs	Pepper jack grass fed cheese	
27		photos of records, invoices, products, facility conditions	

I/we do hereby state that this inventory is to the best of my/our knowledge and belief a true and correct listing of all items seized, and that I/we sign this Receipt / Inventory subject to the penalties and provisions of Title 18 Pa.C.S. 4904 (b). Unsworn Falsification to Authorities.

Michael M
Signature of person Issuing Receipt / Inventory

Nichole Martz PA Dept of Ag Div. Chief
Printed Name Affiliation Badge or Title

MT
Signature of Witness

Melissa W PA Dept of Ag Supervisor
Printed Name Affiliation Badge or Title

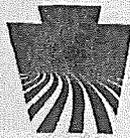
Ph
Signature of person making Search

Philip K PA Dept of Ag Supervisor
Printed Name Affiliation Badge or Title

Exhibit “C”

Notice Food Under Detention Order

Meat Processing
walk in
Cooler



pennsylvania
DEPARTMENT OF AGRICULTURE

BUREAU OF FOOD SAFETY & LABORATORY SERVICES

NOTICE FOOD UNDER DETENTION ORDER

This food has been detained by the Pennsylvania Department of Agriculture pursuant to Section 5726(a) of the Food Safety Act (3 Pa.C.S. 5721-5737) (The "Act"). Notice is hereby given that:

- (1) The food may be adulterated or misbranded and shall be detained.
- (2) It is unlawful to remove the food from the premises or to dispose of it without approval of the Secretary of the Pennsylvania Department of Agriculture.

Identification of premises where food is detained:

648 Mill Creek School Rd Bird in Hand, PA 17505

Identification of the product(s) under Detention:

Raw meat items and all other food items
stored in this walk in cooler.

Removal or disposal of a detained or embargoed food article is prohibited by Section 5723(6) of the Act, and punishable by criminal penalties, civil penalties up to \$10,000, or both under Section 5725 of the Act.

This Detention Order is issued this 4 day of January, 2024.

Food Inspector Signature [Signature]

Food Inspector Print Name NM

PRODUCT UNDER DETENTION ORDER
Not to be moved or used without
authorization of the PA. DEPT. of AGRICULTURE



pennsylvania
DEPARTMENT OF AGRICULTURE

Walk in Cooler #1

BUREAU OF FOOD SAFETY & LABORATORY SERVICES

NOTICE FOOD UNDER DETENTION ORDER

This food has been detained by the Pennsylvania Department of Agriculture pursuant to Section 5726(a) of the Food Safety Act (3 Pa.C.S.A. §§ 5721-5737) (The "Act"). Notice is hereby given that:

- (1) The food may be adulterated or misbranded and shall be detained.
- (2) It is unlawful to remove the food from the premises or to dispose of it without approval of the Secretary of the Pennsylvania Department of Agriculture.

Identification of premises where food is detained:

648 Mill Creek School Rd Bird in Hand, PA 17505

Identification of the product(s) under Detention:

Raw milk, Raw dairy Products, cheeses meats including all
Food Products being Stored in this Walk in Cooler #1

Removal or disposal of a detained or embargoed food article is prohibited by Section 5723(6) of the Act, and punishable by criminal penalties, civil penalties up to \$10,000, or both under Section 5725 of the Act.

This Detention Order is issued this 4 day of January, 2004

Food Inspector Signature DM

Food Inspector Print Name NM

PRODUCT UNDER DETENTION ORDER
Not to be moved or used without
authorization of the PA. DEPT. of AGRICULTURE

PRODUCT UNDER DETENTION ORDER
Not to be moved or used without
authorization of the PA. DEPT. of AGRICULTURE



pennsylvania
DEPARTMENT OF AGRICULTURE

Walk in Freezer
#1

BUREAU OF FOOD SAFETY & LABORATORY SERVICES

NOTICE FOOD UNDER DETENTION ORDER

This food has been detained by the Pennsylvania Department of Agriculture pursuant to Section 5726(a) of the Food Safety Act (3 Pa.C.S.A. §§ 5721-5737) (The "Act"). Notice is hereby given that:

- (1) The food may be adulterated or misbranded and shall be detained.
- (2) It is unlawful to remove the food from the premises or to dispose of it without approval of the Secretary of the Pennsylvania Department of Agriculture.

Identification of premises where food is detained:
648 Mill Creek School Rd Bird in Hand PA 17505

Identification of the product(s) under Detention:
Numerous frozen food items including but not limited to ice cream, milk products, milk meats and all other food items being stored in this walk in freezer.

Removal or disposal of a detained or embargoed food article is prohibited by Section 5723(6) of the Act, and punishable by criminal penalties, civil penalties up to \$10,000, or both under Section 5725 of the Act.

This Detention Order is issued this 4 day of January, 2024

Food Inspector Signature ADM
Food Inspector Print Name NM

2301 N. Cameron St. | Harrisburg, Pa 17110-9408 | Sta. 112 | 717.787.4316 | www.agriculture.pa.gov/eat/safe

PRODUCT UNDER DETENTION ORDER
Not to be moved or used without
authorization of the PA. DEPT. of AGRICULTURE

Not to be moved or used without
authorization of the PA. DEPT. of AGRICULTURE

Large walk in
Freezer
Rear of
Building



pennsylvania
DEPARTMENT OF AGRICULTURE

BUREAU OF FOOD SAFETY & LABORATORY SERVICES

NOTICE FOOD UNDER DETENTION ORDER

This food has been detained by the Pennsylvania Department of Agriculture pursuant to Section 5726(a) of the Food Safety Act (3 Pa.C.S.A. §§ 5726-5737) (The "Act"). Notice is hereby given that:

- (1) The food may be adulterated or misbranded and shall be detained.
- (2) It is unlawful to remove the food from the premises or to dispose of it without approval of the Secretary of the Pennsylvania Department of Agriculture.

Identification of premises where food is detained:

648 Mill Creek ^{sub} RD Bird in Hand PA 17505

Identification of the product(s) under Detention:

Frozen Foods of all types including meats and all other items located in this walk in freezer.

Removal or disposal of a detained or embargoed food article is prohibited by Section 5723(6) of the Act, and punishable by criminal penalties, civil penalties up to \$10,000, or both under Section 5725 of the Act.

This Detention Order is issued this 4 day of January, 2024

Food Inspector Signature

NDM

Food Inspector Print Name

NDM

2301 N. Cameron St. | Harrisburg, Pa 17110-9408 | Sta. 112 | 717.787.4315 | www.agriculture.pa.gov/eatsafe

PRODUCT UNDER DETENTION ORDER
Not to be moved or used without
authorization of the PA. DEPT. of AGRICULTURE

EXHIBIT 19

Report Date: 1/16/2024 1:15:01 PM
Sent By: Jessica Stile

Preliminary Report

Collection Date: 1/4/2024 10:00 AM(NM)
Received Date: 1/4/2024 3:41 PM(SS)
Analysis Date: 1/5/2024 4:53 PM(MN,SS,SL)

Case Coordinator: Michael Nageotte

Accession No: F2400021

Sanitarian Case ID: 574C2024001

ALL LEADERSHIP STAFF
BUREAU OF FOOD SAFETY & LABORATORY SERVICES
2301 N. CAMERON ST.
SUITE 112
HARRISBURG PA 17110-9408

Phone: (717) 787-4315
Email: shmorris@pa.gov

Associated Parties

Facility	MILLER'S ORGANIC FARM	648 Mill Creek School RD Bird in Hand, PA 17505
Submitter	Melissa White	2301 N Cameron ST RM G11 Harrisburg, PA 17110 (717) 346-3223
Regulatory Body	Bureau of Food Safety & Laboratory Services	Attn: All Leadership Staff, 2301 N. Cameron St. Suite 112 Harrisburg, PA Dauphin 17110-9408 (717) 787-4315
Point of Contact	Bureau of Food Safety and Laboratory Services - RRT Kelly Kline	Attn: RRT Coordinator, 2301 N. Cameron St. Suite 112 Harrisburg, PA Dauphin 17110-9408 (717) 787-4315

Reference Data

Collection Temp: 35

Receiving Temp: 1.2 C/4.5 C/0.5 C

Analysis Temp: 2.2 C

Purpose OF Test

REGULATORY
INVESTIGATION

Lab Findings

RAW MILK (INDIVIDUAL PRODUCER BULK TANK) (2 - 18 OZ./PLASTIC, SYNTHETIC - G) - Raw Material - Laboratory Sample - 1

Test: LISTERIA MONOCYTOGENES (AOAC OMA 2004.02)	
Organism	<i>Listeria monocytogenes</i>
Screen Result	PRESUMPTIVE POSITIVE
Test: LISTERIA MONOCYTOGENES (FDA BAM Chapter 10)	
Organism	<i>Listeria monocytogenes</i>
Confirmation Result	PRESENT

RAW MILK SUB SAMPLE. (2 - 18 OZ./PLASTIC, SYNTHETIC - G) - Raw Material - Laboratory Sample - 2

Test: LISTERIA MONOCYTOGENES (AOAC OMA 2004.02)	
Organism	<i>Listeria monocytogenes</i>
Screen Result	PRESUMPTIVE POSITIVE
Test: LISTERIA MONOCYTOGENES (FDA BAM Chapter 10)	
Organism	<i>Listeria monocytogenes</i>
Confirmation Result	PRESENT

RAW MILK FOR CONSUMPTION (PKG) (1 GAL./PLASTIC, SYNTHETIC - G) - Packaged Product - Laboratory Sample - 11

Test: LISTERIA MONOCYTOGENES (AOAC OMA 2004.02)	
Organism	<i>Listeria monocytogenes</i>
Screen Result	PRESUMPTIVE POSITIVE
Test: LISTERIA MONOCYTOGENES (FDA BAM Chapter 10)	
Organism	<i>Listeria monocytogenes</i>
Confirmation Result	PRESENT

MILK, BUTTER AND DRIED MILK PRODUCTS (2 QT./PLASTIC, SYNTHETIC - G) - Packaged Product - Laboratory Sample - 18

Test: LISTERIA MONOCYTOGENES (AOAC OMA 2004.02)	
Organism	<i>Listeria monocytogenes</i>
Screen Result	PRESUMPTIVE POSITIVE
Test: LISTERIA MONOCYTOGENES (FDA BAM Chapter 10)	
Organism	<i>Listeria monocytogenes</i>
Confirmation Result	PRESENT

Bulletin(s)

The results of analysis within this report shall only be reproduced in their entirety unless written approval is obtained from the laboratory.

The BFSLS Laboratory Division provides results of analysis for samples as received. The results of analysis provided in this report relate to the items tested.

The Laboratory inspects all samples received for conformance to its sample acceptance and rejection policy to ensure sample integrity, security, and representativeness. All samples are received in good condition unless a quality statement is provided in this report indicating otherwise.

The Laboratory Division may correct inconsistencies between the product sampled and the sample received in order to maintain the integrity of a sample's chain of custody. The original sample collection report should be reviewed against the sample information provided on this report of analysis for corrections to product information (e.g. lot numbers, license codes, brand information, expiration/use by/sell by dates, and FDA product codes). Details of any corrections between the product sampled and the sample tested can be provided by the BFSLS Laboratory Division upon request.



Michael Nageotte
Microbiology Section Supervisor

1/16/2024
Date

Pending Tests

Test/Panel	Pending	UnReviewed
Food/Feed Microbiology LISTERIA MONOCYTOGENES(AOAC OMA 2004.02)	1	0

EXHIBIT 20



COMMONWEALTH OF PENNSYLVANIA
OFFICE OF ATTORNEY GENERAL

MICHELLE A. HENRY
ATTORNEY GENERAL

January 16, 2024

Amos & Rebecca Miller
Miller's Organic Farm
648 Mill Creek School Road
Bird in Hand, PA 17505
Via Overnight Mail (other delivery methods pending)

Robert Barnes, Esq.
601 S Figueroa St., Suite 4050
Los Angeles, CA 90017
Via U.S. Mail & Email
robertbarnes@barneslawllp.com

Dear Mr. & Mrs. Miller and Attorney Barnes:

I write on behalf of the Pennsylvania Department of Agriculture (the "Department") to immediately notify you of the significant health risks posed by **the presence of the bacterium *Listeria monocytogenes* ("Listeria") in samples of raw milk and raw milk products** recently collected by the Department from Miller's Organic Farm ("MOF") and to instruct MOF and related individuals and entities to **immediately cease and desist the manufacture, processing and sale of raw milk and products made with raw milk, regardless of the source of such raw milk.**

On January 4, 2024, the Department executed an administrative search warrant at MOF following confirmed reports of illnesses caused by the foodborne pathogen *Shiga toxin producing e.Coli* (STEC) in underage consumers who consumed or received raw milk or raw milk products from MOF. During this search, the Department collected samples of raw milk and raw milk products for testing (the "Samples").

Enclosed you will find a Preliminary Report dated today, January 16, 2024, showing that *initial testing of some Samples identified the presence of Listeria*. Testing of other Samples is ongoing. As you are likely aware, *Listeria* poses serious health risks to humans, especially pregnant women, their newborns, adults aged 65 or older, and people with weakened immune systems. [Listeria \(Listeriosis\) | Listeria | CDC, https://www.cdc.gov/listeria/index.html](https://www.cdc.gov/listeria/index.html).

In light of these test results and the significant risk to the public health and safety, it is imperative that MOF and related individuals and entities **immediately cease and desist the manufacture, processing and sale of raw milk and products made with raw milk, regardless of the source of such raw milk.**

All unpermitted activities related to raw milk, as well as the interstate sale of raw milk and the sale of unlawful products made with raw milk, continue to violate Pennsylvania law, and nothing in this letter should be interpreted otherwise.

Please immediately act on this notification.

Sincerely,

/s/ Heather Z. Kelly

Heather Z. Kelly
Senior Deputy Attorney General
Attorney I.D. No.86291
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