

## **Raw Milk: Not Such a Good Thing?**

Should we be able to consume products that we know could harm us? This question is one of many raised by the prosecution of a dairy farmer in Ontario for selling raw (or unpasteurized) milk.

It is hard to imagine a better symbol of pure and natural food than fresh milk. Milk from domesticated animals has been central to human diets for thousands of years. However, it has also long been known that it can carry risks to human health. For this reason, pasteurization was developed as a means of ‘cooking’ the milk to prevent the transmission of diseases such as bovine tuberculosis, listeria, E.coli, salmonella, campylobacter and brucella. The risks to humans from these diseases vary, but in all cases they are significant, and in some circumstances can result in hospitalization and even death. Some groups, such as children, the elderly, pregnant women and those with weakened immune systems, are at greater risk than the general population. Such harm is rare in Canada precisely because pasteurization is a routine and legally enforced means of protecting the public.

However, some people argue that they ought to be free to decide how much risk they are exposed to in the course of pursuing their own lives. It demonstrates a lack of respect to make decisions on their behalf. Is it right for the state to intervene to stop citizens drinking raw milk if they wish to do so? I think it *is* for three main reasons.

First, whilst disagreement about risks will inevitably exist, any evaluation of harm must be based on the best possible evidence. The evidence of potential infection from raw milk is clear. While some people may discount such risks or believe that these risks are outweighed by claimed benefits (such as superior taste or increased nutrients), it is important to see that this does not change the published scientific evidence that drinking raw milk increases the risk of harm. In addition, pasteurization is already established as a routine practice, is an easy and effective means of reducing harm, and is risk-free.

Second, although freedom to choose is vitally important, not all choices are to be respected because other values are sometimes more important. If others can be harmed as a result of a choice, then there are good grounds to limit or remove such an option. Of course, we do allow other choices that increase the risk of harm (such as drinking alcohol and smoking), but they are highly regulated as a means of reducing risk, the harms themselves are not so direct and are not so easily removed, and the risks and benefits are more complex. A policy of allowing the sale of raw milk, with the provision of information about the risks, would provide insufficient protection to the public. Not everyone would have access to, or would understand, the information about risks. In particular, vulnerable populations such as children (the main consumers of milk) would be at increased risk of harm if raw milk was available. Whilst we generally allow parents the freedom to decide what is best for their children, in many circumstances we restrict parental choice to protect children from harm (e.g. enforcing the use of booster seats in cars and cycle helmets). This ought to be the case with raw milk.

Third, the state has a duty to protect its citizens from harm, and in this case does so through the action of a democratic legislature. If we know that harm is possible, and we can do something in advance to remove it or reduce it, a failure to do so would, rightly, be judged negligent. This is the case with the purification of drinking water: it has become an expectation that the state protect its citizens by ensuring it is safe. It ought to be the same with milk. It is not hard to imagine the outcry if a child died from drinking E.coli-infected milk because the state had decided not to uphold the law.

Whilst the actions of the state ought to be subject to criticism, and any public health policy that restricts freedom of choice ought to be regularly debated and reviewed, the sacrifice of liberty in this case is justified. Not everyone will be happy with a policy of enforced pasteurization, but we are all better off living in a society where such protections exist.

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