

# Twenty-six states have "Right-to-Farm" laws

PARK RIDGE, Ill. — As urban areas grow and expand into agricultural areas the so-called urban sprawl encroaches on farmland.

Farmers of long standing in a community often have to defend their right to farm against objections by their new city neighbors, according to Robert B. Delano, president of the American Farm Bureau Federation.

In a report prepared for the park Ridge, Ill. based farm organization, Shep Quate, AFBF associate director of natural and environmental resources and

Richard Taylor, staff attorney, not how city dwellers often object to odors, dust, noise and other incidents of established agricultural operations.

"Even if a farmer is successful in defending his operation against nuisance charges," Taylor said, "potential lawsuits are expensive, time consuming, aggravating and frustrating."

To prevent the loss of agricultural resources, the majority of states have enacted some type of "right to farm" laws, said Quate, with thirty-five states curbing urban sprawl en-

croachment on farmland, by enacting one of our general types of legislation. Pennsylvania's Right to Farm legislation is currently under consideration in the Senate.

Most popular among the forms of such legislation is a statute which provides that a court cannot declare a farming operation to be a nuisance if: The operation did not constitute a nuisance when it began, if the claim is based only on changing conditions in the locality; the operation had existed for at least one year before the filing of the lawsuit, the alleged nuisance

did not result from negligence or improper operation of the agricultural business and the activity being criticized does not involve water pollution or flooding.

The 26 states that have adopted this type of "right to farm" law are: Alabama, Arkansas, Connecticut, Delaware, Florida, Georgia, Idaho, Illinois, Indiana, Kentucky, Maine, California, Maryland, Mississippi, Michigan, North Carolina, North Dakota, New Hampshire, New York, Oregon, South Carolina, Texas, Virginia, Utah, Wisconsin and Ohio.

A second type of statute has been endorsed by Arizona, Oklahoma, Vermont and Washington to establish "right to farm" based on consistent use of good agricultural practices and prior establishment. Meeting these criteria the business qualifies as "reasonable and not a nuisance" unless the activity has "substantial adverse" affect on public health and safety.

The third type of legislation protects feedlots, dairy farms and egg production operations from nuisance liability if the activity complies with federal and state regulations and was started before the complainant acquired his property. Iowa, Tennessee and Wyoming have enacted this type of law which places control in the hands of the respective state departments of health.

The fourth type of law protects the "right to farm" against specific nuisance charges as in laws of Massachusetts and Montana.

The Massachusetts statute reads:

"That the order from normal maintenance of livestock or the spreading of manure upon agricultural and horticultural lands shall not be deemed to constitute a nuisance."

Montana adds: "...if the farming operation has been in operation one year or more."

## Brown Swiss Assoc. lists All-Americans

BELOIT, Wis. — Competition was stiff in the 1981 Brown Swiss All American Contest with 196 entries submitted from 27 different states. This made the 1981 Contest the second largest contest ever in numbers of entries and tied for first in number of states. (There were 197 entries in 1979 and 27 different states entered in 1971.)

The All Americans were selected by the 36 judges of the All American Qualifying Shows. The 50 Qualifying Shows include the four national shows, state fairs and state shows. To be eligible for entry, an animal had to place first or second at one of these shows. Coopersburg breeder Gary Lee Army received an All American his junior heifer calf Buzzing Acres Lucille.

In this 17th year of the contest, there were no unanimous choices. The only repeat individual winner was Kruses Beautician Vixie 644583, who was last year's All American Three Year Old and this year's All American Four Year Old. She is owned by Mr. and Mrs. Larry Kruse and Family of Earlville, Iowa.

A first for the breed was recorded when the junior get of sire owned by Wayne E. Sliker, St. Paris, Ohio and Curt & Linda Prime, Augusta, Maine was named All American. All four animals are full sisters and brother. All are ET's.

Sliker was also the only multiple winner in the contest with All American Junior Yearling Heifer, Senior Yearling Bull, Three Year Old Cow and Aged Cow. He also owned several Reserve and Honorable Mention All Americans.

The results of the contest follow:

**Junior Bull Calf**  
All American — Cal-Ticino Titan Kit 177649, Edwin Genasci, Modesto, CA

**Senior Bull Calf**  
AA — VB Prospect Fanfare

177379, Voegeli Farm, Inc., Monticello, WI.

**Junior Yearling Bull**  
AA — Ventures Elegant Billionaire 178018, Nottter's Venture-West, Inc., Holyoke, CO.

**Senior Yearling Bull**  
AA — Top Acres Stretchy Lynson ET 176647, Wayne E. Sliker, St. Paris, OH and Curtis & Linda Prime, Augusta, ME.

**Junior Heifer Calf**  
AA — Buzzing Acres Lucille 689450, Gary Lee Army, Coopersburg, Pa.

**Intermediate Heifer Calf**  
AA — Golden Dawn Comb Dairymen 687861, A-G Swiss Farms, Decorah, IA.

**Senior Yearling Heifer**  
AA — Brierwood Fawna Eye 690723, Ronald & Sally Paaske, Hillsdale, IL.

**Junior Yearling Heifer**  
AA — Top Acres Success Lusty 678892, Wayne E. Sliker, St. Paris OH.

**Senior Yearling Heifer**  
AA — Top Acres Stretchy Lynelle ET 676838, Wayne E. Sliker, St. Paris OH.

**Two Year Old**  
AA — Idyl Wild Improver Junx 664521, Douglas D. Massingill, Aumsville, OR.

**Three Year Old**  
AA — Norvic Elegant Emryss, 654652, Wayne E. Sliker, St. Paris, OH.

**Four Year Old**  
AA — Kruses Beautician Vixie 644583, Mr. and Mrs. Larry Kruse & Family, Earlville, IA.

**Aged Cow**  
AA — Alfalfa Meadows Sueann S. 629476, Wayne E. Sliker, St. Paris OH.

**Senior Get Of Sire**  
AA — White Cloud Jason's Elegant 148551, Wayne E. Sliker, St. Paris OH.

**Best Three Females**  
AA — Pete Vanderham Dairy,

Inc. & Jim Vanderham, Mira Loma, CA.

**Produce of Dam**  
AA — Nolandale Stretchie Cindy 579800, Tom Nolan & Doug Nolan, Pontiac, IL.

**Junior Get of Sire**  
AA — Welcome In Stretch 143612, Wayne E. Sliker, St. Paris, OH & Curtis & Linda Prime, Augusta, Me.

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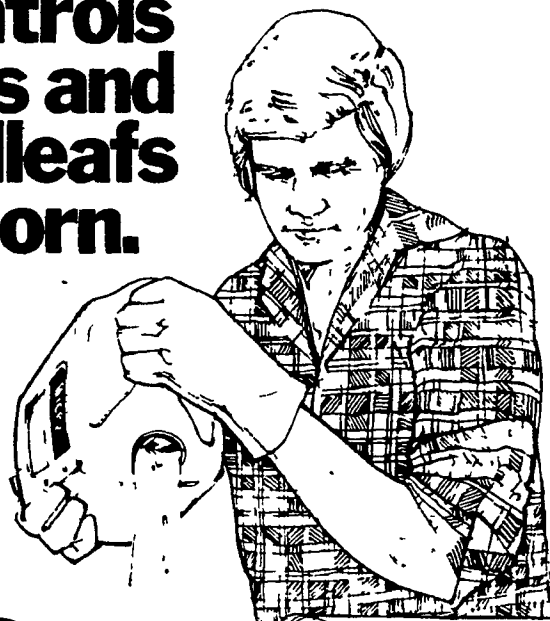
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