

07/11/2003 Entry: "NEBRASKA AND NATIONAL FARMERS UNION APPLAUD COURT'S BEEF CHECKOFF RULING"

The U.S. Eighth Circuit Court of Appeals ruling affirming Judge Charles Kornmann's decision that the national beef checkoff program is unconstitutional was quickly praised by Nebraska and National Farmers Union.

National Farmers Union President Dave Frederickson said, "We are pleased with the decision by the Court of Appeals. NFU supports a voluntary, not mandatory, producer controlled checkoff promotion program of U.S. origin commodities."

Nebraska Farmers Union President John K. Hansen declared, "The decision is consistent with the United States Supreme Court decision in the United States v. United Foods, Inc case decided June 25, 2001, which clearly said the mandatory checkoff for mushrooms was a form of compelled speech, and a violation of free speech." Hansen noted that the US. Court of Appeals for the Eighth Circuit cited the U.S. Supreme Court decision which said "The mandated support is contrary to the First Amendment principles set forth in cases involving expression by groups which include persons who object to the speech, but who, nevertheless, must remain members of the group by law or necessity."

Hansen went on to say that in light of the U.S. Eighth Circuit Court of Appeals decision today, in addition to the U.S. Supreme Court decision in the mushroom case in June of 2001, it is increasingly clear that Secretary of Agriculture Ann Veneman should not have intervened in January of 2001 to set aside the outcome of the national pork producer checkoff vote. Sec. Veneman allowed the mandatory national pork producer checkoff to continue despite the will of the majority of the voting pork producers to end it.

"The days of mandatory checkoffs are numbered" Hansen said. "If either state or national checkoffs are to continue, they must become voluntary, which to us means that ag producers get to decide whether they want to participate in a checkoff, which organization should get their checkoff monies if they do choose to participate, and who sets on any promotion or development board by virtue of producer elections. We all know what voluntary means, and we also know what mandatory means. Voluntary is the future, mandatory is the past" Hansen concluded.

Nebraska Farmers Union is the second largest general farm organization in Nebraska, representing the economic and quality of life issues of family farmers, ranchers, and rural communities since 1913