



# Maryland Farm Bureau, Inc.

8930 Liberty Road • Randallstown, MD 21133 • (410) 922-3426

## PRESS RELEASE

For Immediate Release  
May 8, 2013

For more information contact:  
Valerie Connelly (410)922-3426

In another judicial win for local farmers, Maryland Farm Bureau and the Department of Agriculture successfully defended farmer privacy in a case that began more than six years ago.

In an opinion issued last Thursday, the Court of Special Appeals of Maryland upheld the confidentiality of farmer information in nutrient management plans. The Court agreed that the identities of farmers with current nutrient management plans are protected indefinitely under the law – not only in the plan summaries but also in other documents held by MDA.

“Maryland Farm Bureau is very pleased that the Court affirmed what has been our position all along – that nutrient management plans should be considered confidential business documents and identifying information should not be shared with the public,” said Pat Langenfelder, Maryland Farm Bureau President. “After 6 years and over \$130,000 spent in legal fees, Maryland Farm Bureau has succeeded in protecting our members’ interest in this case.”

At issue was a request under the Public Information Act by local waterkeepers represented by the University of Maryland’s Environmental Law Clinic to the Maryland Department of Agriculture. The PIA requested copies of individual farmer nutrient management plans and other documents related to the plans. The court case developed when the sides could not agree on what information should be redacted (or blacked out) from the documents to be released.

Farm Bureau stepped in to make sure identifying information about the farmers, their locations and their business plans were kept confidential. At one point in this case, Maryland Farm Bureau and attorney Maggie Witherup of Gordon Feinblatt in Baltimore successfully obtained an injunction to prevent MDA from releasing information believed to be protected under the law.

“We believe the lower court struck an appropriate balance between providing the public with access to general information about nutrient management plans and the MDA’s enforcement of those plans, while still protecting identifying information about the farmers.” Witherup stated. “The Court of Special Appeals correctly affirmed that decision.”

This win comes on the heels of the Hudson family victory in a Clean Water Act suit filed by the Waterkeeper Alliance (represented by the UMD Environmental Law Clinic) in which a federal court criticized the lawsuit as not being a responsible or effective use of the citizen suit process.

“We hope the University system finally takes action to stop these costly lawsuits intended to harass hard-working farm families and instead refocuses its efforts on helping farmers stay in compliance with nutrient management and other State laws,” concluded Pat Langenfelder.

###