

## Chapter 30

1. Filburn, a farmer, raised winter wheat to make flour for his family and to feed his cattle. A federal agency notified Filburn that, according to federal law, he had used more acres and had harvested more wheat than he was permitted. As a result, Filburn was fined. Filburn sued the federal government. He argued that he was only using the wheat in his own kitchen and to feed his own livestock and that the federal government had no jurisdiction over what was clearly a completely intrastate activity. Is Filburn correct? Explain your answer. *Wickard v. Filburn*, 63 S.Ct. 82 (U.S. Sup. Ct.).
2. A gold mining operation was in progress in Colorado under the supervision of Earth Sciences, Inc. The process involved the use of toxic substances. A reserve pump was installed to catch the toxic runoff. An early thaw melted a snowdrift and caused an overflow that unexpectedly permitted toxic waste to flow into the Rito Seco Creek. The United States brought an action against Earth Sciences Inc. alleging a violation of pollution laws. Earth Sciences argued that, because the pollution was unintentional, the corporation should not be held liable. Is Earth Sciences correct? Explain your answer. *United States v. Earth Sciences, Inc.*, 559 F.2d 368 (10th Cir.).