



National Organic Coalition

TRANSITION RECOMMENDATIONS FOR THE OBAMA ADMINISTRATION

The National Organic Coalition (NOC) is a national alliance of organizations working to provide a "Washington voice" for farmers, ranchers, environmentalists, consumers and progressive industry members involved in organic agriculture. (www.nationalorganiccoalition.org)

The member organizations of the National Organic Coalition (NOC) commend President-elect Obama for a very successful campaign and look forward to working with the Administration to make real change for American farmers and consumers. We greatly appreciate the recognition of the importance of organic agriculture in the Obama-Biden campaign platform.

Organic agriculture is poised to provide multiple benefits to the U.S. and global economy by providing positive solutions to emerging issues such as global warming, reduction of petroleum dependency, improvements in personal health, increased environmental stewardship, toxic exposure reduction, and viable job creation for the rural economy.

The U.S. organic industry continues its meteoric climb. The organic market grew 21% to reach \$17.7 billion in consumer sales in 2006. The Organic Foods Production Act of 1990 (OFPA) established the National Organic Program (NOP) within the U.S. Department of Agriculture (USDA). The NOP went into full effect in October 2002 after over a decade of rulemaking and historic public input. The NOP staff is housed within the USDA's Agricultural Marketing Service.

We look forward to working closely with your appointees, and urge you to select a Secretary of Agriculture and sub-Cabinet appointees who have a demonstrated commitment to the support of family farmers and expansion of sustainable, organic agriculture. It is critical that you appoint people to serve in key positions at the USDA, as well as EPA and FDA, who understand the multiple benefits of organic systems, and who are committed to the expansion of organic food and farming.

We ask for your Administration's full support for the following measures to facilitate the growth of the U.S. organic food and farming sector, and to resolve the logjams created by USDA bureaucratic impediments and missed opportunities to allow organic agriculture to meet its full potential.

Organic agriculture must be given a greater role and prominence within the Administration relative to previous Administrations. Over-arching actions that should be taken to achieve this goal include:

- Designation of a point person and/or organic policy coordinator at the White House and in the Office of the Secretary of Agriculture for follow-through and on-going coordination, including the facilitation of public participation and feedback regarding these matters.

- Establishment of USDA cross-departmental and cross-agency coordination through an organic working group, including appropriate USDA/EPA/FDA officials to expedite administrative backlogs and to implement fairly and swiftly the significant organic provisions of the 2008 Farm Bill.
- White House and USDA support for and participation in the development of a National Organic Action Plan (NOAP) <http://www.rafiusa.org/noap.html>, including White House and USDA public support for and recognition of the multiple benefits of organic agriculture. This is consistent with public-private partnership actions taken in Europe and elsewhere to plan a course for growth in organic agriculture.
- Close partnership with Congress to secure the resources and any additional legislative authority necessary to ensure that USDA resolves the barriers that have impeded effective implementation of the National Organic Program, and limited the potential of the U.S. organic sector.

USDA administrative and regulatory actions that should be taken within the first year of your Administration:

When Congress enacted the Organic Foods Production Act (OFPA) in 1990, it was a landmark piece of legislation that established a formal process for setting consistent standards nationwide, with which all farmers, processors, and handlers must comply in order to be able to label and market their products as “organic.” The intense involvement in this legislation and subsequent rulemaking by all aspects of the organic community -- farmers, processors, handlers, consumers, retailers and public interest groups – is legendary. As USDA has endeavored to implement the National Organic Program (NOP), there have been many shortcomings that must be addressed to meet the full potential of the organic program and the Congressional intent as laid out in OFPA:

- **Validating the Statutory Role of the National Organic Standards Board (NOSB)-** The NOSB was established by Congress as an advisory board of experts from the organic sector, appointed by the Secretary of Agriculture, to provide advice and direction to USDA regarding key aspects of the National Organic Program. In its most critical role, the NOSB is mandated by the Organic Foods Production Act (OFPA) to review all substances considered for use in organic production, including fertilizers, pest control chemicals, and food additives. USDA has not given the NOSB the validity envisioned by Congress.
 - Despite significant time and resources devoted by volunteer members of the NOSB, many of their recommendations have been ignored by USDA. USDA’s National Organic Program (NOP) must publish a timeline, process, and protocols for addressing the backlog of National Organic Standards Board (NOSB) recommendations made to the NOP.
 - Despite significant budget increases from Congress for the NOP, the NOSB has been denied the resources necessary to undertake the independent scientific analyses required by law (called Technical Advisory Panels) to evaluate which substances and additives can be used in organic products. USDA must provide resources so that the NOSB can meet the criteria mandated in the OFPA, based on neutral and comprehensive scientific information.
- **Complying with Congressional intent regarding Organic Accreditation and Certification-** The Organic Foods Production Act (OFPA) gives USDA the role of

accrediting public and private certifying agencies, which have the on-the-ground job of making sure that organic farmers, processors, and handlers are in full compliance with USDA organic standards. Because this accreditation process is so central to the integrity of the organic program, Congress also called on USDA to establish a Peer Review Panel of experts to provide oversight to NOP regarding the accreditation process. USDA has failed to establish the Peer Review Panel, and as a result, the accreditation process has been flawed. One way to remedy this problem, and to address the Peer Review Panel directives of OFPA, is to take advantage of the US Department of Commerce's National Institute for Science and Technology (NIST) National Voluntary Conformity Assessment Systems Evaluation Program (NVCASE) program for third-party oversight of accreditation bodies. NIST's program would provide thorough and professional assessments of NOP's accreditation system, to assure that they are in compliance with international accreditation standards (ISO 17011) required by NOP regulations. Currently, the NOP fails to meet these standards.

- **Bringing Credibility and Consistency to the National Organic Program-** A central tenet of the Organic Foods Production Act (OFPA) was to establish national consistency in organic standards and full transparency in the standard-setting process, with open participation by the public. However, the NOP has a history of issuing inconsistent, secretive, and poorly justified interpretations of USDA organic standards and regulations. Clear steps that must be taken to address this problem include:
- Resume training programs for accredited organic certifiers, to assure consistency in organic certification of farmers, processors, and handlers
 - Develop a Program Manual for the NOP's accreditation program and make it available to the public, to assure transparent, consistent application of USDA organic standards.
 - Annual publication of the details of the NOP budget and accounting, to provide transparency to Congress and the public regarding the program's expenditures and activities.
 - Bring the NOP into full compliance with international standards for accreditation and certification (ISO 17011 and ISO 65 guidelines).
 - Recognize formally that all entities involved in organic -- producers, handlers, certifiers, and consumers – must have full appeals rights. The process for these appeals procedures must be promulgated through notice and comment rule making.
- **Creating Consistency and Consumer Confidence in Organic Livestock Standards-**
- “Access to Pasture” Rulemaking: On October 24, 2008, USDA issued a proposed rule to clarify the standards regarding the required access to pasture for organic ruminants. This rule is years overdue, and should be promulgated in final form, after the comments of the organic community are fully considered. We urge the Administration to usher this important rulemaking to completion, and to fend off any pressure for unnecessary delays.
 - “Origin of Livestock” Rulemaking: Fortunately, USDA has publicly announced its intent to issue regulations to clarify the procedures for the origin of livestock used in organic livestock operations. We strongly concur with the need for this rulemaking, and urge the full support of the Administration in moving forward with the creation of one clear standard for origin of livestock, to replace the convoluted and inconsistent standard currently in place.

The 2008 Farm Bill includes many significant organic provisions in need of immediate implementation:

- Organic Certification Cost Share Program - cooperative agreements with the states need to be revised, money needs to be disbursed, a bookkeeping system needs to be implemented to track allocations, and clear outreach materials need to be developed.
- USDA should immediately issue call for grant applicants for public plant and animal breeding in the new Agriculture and Food Research Initiative (AFRI) to stimulate urgently needed public resources for plant and animal breeding initiatives to address climate change, nutrition, organic systems, and other new market demands.
- USDA should implement Farm Bill provisions to provide organic farmers fair access to Federal Crop Insurance Program.
- USDA should immediately implement payment opportunities for existing organic farmers and for farmers transitioning to organic production through the Environmental Quality Incentives Program.
- USDA should immediately establish “cross-walk” language to ensure farmer-friendly and transparent means for certified organic farmers to simultaneously qualify for higher tier Conservation Stewardship Program opportunities.
- Preserve full funding in FY 2009 through 2012, as mandated in the 2008 Farm Bill, for the Organic Research and Extension Initiative competitive grants program.
- Other administrative actions that should be taken immediately to improve USDA organic programs include-
 - Updating the small farmer organic certification exemption, which was set at \$5000 in 1990, to reflect current 2008 dollars. A cost-of-living adjustment would reduce burden and increase market opportunities small organic farmers.
 - Full implementation of the March 2008 USDA Research Advisory Board recommendations regarding organic research and education.

We thank you for your attention to these important priorities and look forward to the opportunity to discuss these issues with your Administration in greater detail. For more information, please contact Steve Etko (steveetka@gmail.com).

Sincerely,

Beyond Pesticides
Center for Food Safety
Equal Exchange
Food & Water Watch
Maine Organic Farmers and Gardeners Association
Midwest Organic and Sustainable Education Services
National Cooperative Grocers Association
Northeast Organic Dairy Producers Alliance
Northeast Organic Farming Association -Interstate Council
Rural Advancement Foundation International -USA
Union of Concerned Scientists