



BEYOND PESTICIDES

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Dear Senator:

We are writing to ask you to reject all authorizing language amendments to the *Organic Foods Production Act* (OFPA) when the Senate takes up the Agriculture Appropriations Bill. Our concerns about amendments at this time are both substantive and procedural. We believe that the proposed draft amendment language we have seen would have negative impact on the integrity of organic and its value to farmers and consumers. As you know, the growth of the organic industry, which we have supported for nearly 25 years, is built on a foundation of acceptance by organic consumers, who now pay a premium price in the marketplace.

Congressional action now after a June 9, 2005 First Circuit Court of Appeals decision (*Harvey v. USDA*) to correct USDA's compliance failure under OFPA is premature in light of the pending regulatory proposal before the Department and the need for a deliberative process that brings together farmers, consumers, and processors –as was done when the bill was written in 1989-90. On June 23, 2005, six agriculture, retail and food safety groups petitioned USDA for a number of regulatory changes designed to ensure the long-term integrity of the organic label and to create an equitable and consistent standard that aids dairy farmer transition to organic, bringing USDA into compliance with the court ruling. We believe that the regulatory process and review can ensure sustained organic integrity and industry growth. Short circuiting this process will have the reverse effect.

OFPA was passed as both a truth and labeling and production standards law. The organic label was intended to describe the contents of the product and offer consumers and organic producers an opportunity to support production systems that strive to incorporate the greatest percentage possible of organic ingredients. Polling by Consumers Union released in June, 2005 finds that 85% of consumers say they do not expect food labeled as "organic" to contain artificial ingredients. This understanding was incorporated into the statute, allowing the use of the USDA organic seal on processed products with at least 95% organically produced ingredients and no more than 5% non-organic natural ingredients.

The law strikes a delicate balance that can be undermined by amendments that some food industry groups are advocating. Please reject amendments at this time, as a deliberative process moves forward in a manner that hears all those affected, including farmers and consumers. Thank you for your attention to this critical matter.

Sincerely,

Jay Feldman
Executive Director