

## REGULATORY AND LEGISLATIVE ISSUES

### Congressional action restores organic standards

In late October, Congress took action to help restore key provisions of the national organic standards.

OTA asked Congress to take up the issue as a result of a June 2005 court ruling which declared that there were technical inconsistencies between the Organic Foods Production Act (OFPA), passed as part of the 1990 Farm Bill, and the National Organic Program standards, implemented in October 2002 after more than a decade of public input.

OTA had submitted language to Congress to amend OFPA to allow the continued use of a limited list of stringently reviewed synthetic materials in post-harvest handling and processing and provisions for dairies converting to organic production. OTA's language was adopted.

Thanks to this legislative action, the majority of processed, multi-ingredient organic products currently in the marketplace can continue to carry the USDA Organic seal provided they meet or exceed stringent federal standards.

Congress' action effectively retains the national organic regulations that were developed through years of discussion. No new synthetic ingredients may be allowed in organic production without the review and approval of NOSB.

The approved language also included a request to the Secretary of Agriculture to develop emergency procedures for designating agricultural products as commercially unavailable in organic form and used as minor ingredients. These would be placed on the National List on a temporary basis (not to exceed 12 months) in the event of an emergency, such as a natural disaster. More details on this are available at [www.ota.com/EmergencyProceduresOverview.html](http://www.ota.com/EmergencyProceduresOverview.html).

Congress also directed USDA to



Photo: Lori Wyman

Joseph Stern (SunOpta) and Ellen Holton (QAI) talk with their Congressman, Sam Farr (D-CA17), at OTA's organic luncheon for Congress.

study the impact on the organic industry and report back in 90 days.

For further information, go to [www.ota.com/pp/legislation/Restoring\\_Organic\\_Program/index.html](http://www.ota.com/pp/legislation/Restoring_Organic_Program/index.html).

#### CONGRESSIONAL EDUCATION DAY DELIVERS OTA MESSAGES

Thanks to the hard work of the attendees of OTA's 2005 Congressional Education Day in September, OTA's draft organic title for the 2007 Farm Bill was delivered to every single member of Congress serving on the Senate and House Agriculture Committees. As a result, OTA is in a good position to continue dialogue with people in Congress capable of shaping organic Farm Bill provisions benefiting all parts of the organic supply chain.

OTA members and staff met directly with at least ten members of Congress and presented offices with "leave behind" packages that highlighted OTA's plans

for the 2007 Farm Bill, organic appropriations, OTA's 20 years of service, charts showing the number of U.S. farms by congressional district, maps of organic production and handling in the country, and a list of current OTA members.

As part of Congressional Education Day, OTA's Canadian Council Coordinator Stephanie Wells organized a trip to the Canadian Embassy where OTA members advocated for increased attention and resources for organic agriculture in Canada.

OTA's organic luncheon for Congress was another huge success, feeding between 600-800 members of Congress and their staff an

organic lunch. Haute on the Hill, caterer for the House of Representatives, sourced and offered lunch items made with organic ingredients. Thanks go to WhiteWave Foods and United Natural Foods, Inc. for



underwriting the luncheon and offering samples in the “grab-’n-go” section. Other companies offering samples included ThinkOrganic, Traditional Medicinals, Spectrum Organic, Nature’s Path Foods, Steaz Green Tea Soda, and New England Natural Bakers.



Organic Trade Association

## 2007 FARM BILL

Agenda & Advocacy

### 2007 FARM BILL UPDATE

OTA has updated its draft proposal for an organic title for the 2007 Farm Bill. In addition, it now has issue sheets available for each of the major sections:

- creating a national organic initiative,
- establishing an organic production office,
- supporting and enhancing existing organic legislation, and
- creating and enhancing agency cooperative programs.

See <http://www.ota.com/07FarmBill.html> for all of OTA’s 2007 Farm Bill information and plans.

USDA is accepting comments on six questions posed by Secretary of Agriculture Michael Johanns until Dec. 30. OTA will be submitting comments, and is encouraging its members to help raise the profile of organic agriculture by submitting comments as well. See [www.usda.gov](http://www.usda.gov) for an online form to easily submit comments.

### BRING YOUR LEGISLATOR TO WORK MONTH

To kick off its first “Bring Your Legislator to Work Month” in August, OTA itself hosted a visit from Congressman John Olver at its office in Greenfield, MA, Aug. 25. The event included a round-table discussion with representatives of other area organic businesses and



Photo: Lori Wyman

Congressman John Olver (D-MA01), shown with Beth Fraser of OTA staff, examines organic tomatoes on hand during his visit to OTA’s headquarters.

press coverage.

OTA set up the meeting to highlight the activity of its member businesses located in Massachusetts’ First Congressional District. OTA member companies taking part in the event included Bart’s Ice Cream, Bin Sales and Marketing, Fairfield Farm Kitchens, Green Fields Market, LightLife Foods, New England Natural Bakers, Northeast Organic Dairy Producers Alliance and Sterling Food Concepts.

Congressman Olver, who is currently serving his eighth term, is a member of the House Organic Caucus and is up for re-election in 2006.

### ORGANIC FARM TOUR

OTA’s Organic Farm Tour for Friends on Thursday, August 11, was hot and humid, but very informative and lots of fun. Farmers Mike Klein and Nick Maravell went all out to welcome nine agriculture staff from the offices of Congresswoman Baldwin (D-WI02), Congressman Bass (R-NH02), Senator Crapo (R-ID), Congressman DeFazio (D-OR04), Senator Specter (R-PA), Congressman Walsh (R-NY25), and Senator Wyden (D-OR).

OTA’s Organic Farm Tour leader Mark Mulcahy, president of Organic Options and long-time organizer of All Things Organic™ farm tour

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Photo: Beth Fraser

Mark Mulcahy poses with a chicken at Good Fortune Farm.



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events, led participants in discussions about where their food comes from, favorite fruits and vegetables, and how to make good decisions when making grocery store purchases.

Mike Klein's Good Fortune Farm is a community supported agriculture (CSA) operation serving about 65 families located in the Washington, D.C., area. Shareholders receive fresh-from-the-farm vegetables weekly. Klein led attendees around his 11.5 acre farm and talked about irrigation systems (he uses drip tape), chickens, good crops, bad crops, and how much he enjoys farming his "little piece of heaven."

Nick Maravell's farm is a virtual beehive of activity: grass-fed beef, organic grain, organic edamame, organic tomatoes, and lots of organic research. Maravell threw a grand welcome party for organic farm tour attendees, including Maryland Assistant Secretary of Agriculture Pat McMillan and National Program Leader for Horticulture for CSREES-USDA Tom Bewick. Also participating were other folks from USDA's ARS, NRCS, and Water Conservation Service, as well as from the University of Maryland, Maryland's Organic Program, Maryland's Organic Advisory Committee, and the *Fredrick News Post*. Included in the lunch provided by Restaurant Nora were fresh tomatoes and grilled meatballs sourced from Maravell's farm.

OTA plans to make its Organic Farm Tour an annual event, with the 2006 date tentatively set for Aug. 10. Contact Beth Fraser (bfraser@ota.com) for more information.

### NON-FOOD PRODUCTS CAN BE CERTIFIED ORGANIC

In developments concerning the U.S. Department of Agriculture's policy on the labeling of products that meet the National Organic Program (NOP) final rule, NOP in late August posted a memo to

certifiers saying that any product meeting the final rule may be certified, and if it meets the requirements for "100 percent organic" or "organic", it may use the USDA Organic seal.

For further information, go to [www.ams.usda.gov/nop/NOPPolicyMemo08\\_23\\_05.pdf](http://www.ams.usda.gov/nop/NOPPolicyMemo08_23_05.pdf).

### METHIONINE STATUS

On Oct. 21, USDA published a final rule to allow synthetic methionine in poultry production until Oct. 21, 2008.

OTA facilitated the Methionine Task Force to help coordinate work on natural alternatives and alternative breeds, and many members of that task force took a leading role in presenting the case to the National Organic Standards Board (NOSB) that poultry producers needed more time for research.

### OTA ATTENDS CONFERENCE

OTA Associate Policy Director Tom Hutcheson in October spoke at a USDA Economic Research Service (ERS) conference that brought together USDA agencies, academics from across the country, and members of the trade to discuss innovations in organic marketing, technology, and research. This is the third conference of its kind in three years. Recognizing the value of these conferences, OTA commended ERS economist Catherine Greene, conference organizer, for her forward-looking activities in a letter sent to the ERS Administrator.

Hutcheson spoke on OTA's 2007 Farm Bill plans as part of the panel on strategies to facilitate organic sector development, and moderated a session that included agency, trade, and academic representatives on assessing the growth of the organic market.

### AG INGREDIENTS UPDATE

Currently, an organic handler may use any non-organic agricultural ingredient in an organic product if the ingredient is not commercially

available in organic form. One of the results of the *Harvey vs. Johanns* court ruling is the National Organic Program must individually list all such non-organic agricultural substances in Section 205.606 of the National List. Before the ruling, Section 205.606 allowed a blanket approval of any non-organic agricultural product, provided there was no commercially available organic version.

If you use any non-organic agricultural ingredients in the 5 percent of your organically labeled product and they are not currently specified in section 205.606, you must take action to get them listed. This is a long process and has to begin right away. You will need to file a petition to NOSB to request that they be approved for continued use and placed on the National List.

Examples include flavorings, essential oils, and similar minor ingredients that companies have not been able to find in a commercially available organic form. Currently there are five substances on that list: native cornstarch, water extracted gums, kelp, unbleached lecithin, and high-methoxy pectin. Some of these are being contested through the Sunset process by manufacturers who believe they can supply those products in an organic form.

### What should you do?

- Immediately inventory all non-organic ingredients used in your organic products, and identify any that you consider to be agricultural.
- Examine all possible organically produced alternatives you have tried, and be prepared to document your efforts to source an acceptable organic version.
- Download the template of a petition you can use to request that NOSB add materials to the National List. Go to: [www.ota.com/pp/usregulatory/606template.html](http://www.ota.com/pp/usregulatory/606template.html).
- Find out if there are other processors who use the same material(s). If there are others, contact them to collaborate on the petition process.
- Contact your suppliers of non-organic agricultural ingredients and urge them to get involved in this process. ♡