118 Organizations & 249 Farms Send Letter to USDA RE: Organic Dairy Rule

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January 28, 2021

U.S. Department of Agriculture
1400 Independence Ave., S.W.
Washington, DC 20250

RE: **USDA National Organic Program – Origin of Livestock Rulemaking**

Dear Acting Secretary Shea:

As members of the organic community, we look forward to working closely with you to achieve a food and agriculture system that benefits the health of people and the planet.

In that regard, we are writing today to share an issue that is important for the future of organic farmers, their families, and the integrity of the organic label. This issue is the need to clarify the regulation regarding Origin of Livestock (7 **CFR 205.236**), pertaining to the process of transitioning conventionally grazed livestock to organic production.

The organic label is one of the most highly trusted labels in the consumer marketplace. This is due to the strong federal standards and enforcement behind the label. There are, however, some areas where the USDA National Organic Program standards need to be strengthened to retain that consumer trust. Stronger, more balanced standards to ensure all organic farmers operate under the same rules is essential for the entire organic community. The economic viability of organic farmers is dependent upon confidence among all organic stakeholders that competitors are operating under the same rigorous standards and enforcement practices.

The problem has been that those organic dairy producers who have utilized the loophole to substitute conventionally grazed conventional animals into organic production have gained a competitive advantage and contributed to the economic struggles of the organic milk. This has contributed to a significant drop in the milk prices paid to organic dairy farmers, the majority of whom were hit by a higher standard and stricter enforcement.

In 2015 by the National Organic Standards Board (NOSB) published a proposed rule to close the loopholes related to Origin of Livestock (80 FR 55405). Specifically the proposed rule would clarify that: "Other competitive farms may have the opportunity to transition a portion of an organic conventional dairy herd (an livestock to form new organic dairy herd) by transitioning all of the livestock from which would have been slaughtered as culled dairy cows (the last third of gestation)."

The 2015 proposed rule garnered strong, unified support from the organic community and consumers, especially the provision that stopped conventional livestock from continuously entering the organic herd. Implementing the 2015 Proposed Rule would clarify and strengthen the regulation so that all certifiers will consistently enforce the same standard, with confidence that organic farmers who have invested in organic herd management and have track system integration created by loopholes in the current regulation. USDA's unacknowledge delay in issuing a Final Rule has resulted in economic damage, financial hardship, and stress of business uncertainty for organic farmers following the true intent of the organic standards.

Congress included a provision in the Fiscal Year 2020 Appropriation Bill requiring USDA to finalize the long-delayed rule by June 17, 2020. USDA missed that deadline. On June 17, 2020, the NOP announced plans to publish another Proposed Rule to address enforcement issues caused by USDA's Office of General, Instead of moving directly to a final rule as required by Congress. NOP has failed to provide a timeframe for issuing the new proposed rule. Organic dairy farmers and the organic community more broadly are frustrated by the NOP's continued delay in finalizing this regulation.

The undersigned organizations urge you to take the immediate action necessary to finalize this important rulemaking, to establish a consistent and fully enforceable standard regarding the origin of dairy livestock used for organic production.

Sincerely,

National Organic Organizations (21):

Alliance for Natural Health USA, USA, National
Beyond Pesticides, USA, National
Organic Farmers Association of Tennessee, USA, National
Family Farm Defenders, USA, National
Food & Water Watch, USA, National
Food Chain Workers Alliance (FCWA), USA, National
Friends of the Earth, USA, National
Green America, USA, National
National Center for Appropriate Technology, USA, National
National Family Farm Coalition, USA, National
National Farmers Organization, USA, National
National Farmers Union, USA, National
National Resource Defense Council, USA, National
NextLevel, USA, USA, National
Organic Consumers Association, USA, National
Organic Farmers Association, USA, National
Organic Farming Research Foundation, USA, National
Organic Seed Alliance, USA, National
Rodale Institute, USA, National
The Cornucopia Institute, USA, National
Wild Farm Alliance, USA, National

State & Local Organic Organizations (28):

California Farm Bureau Federation agroup, CA
Albert Lea Seed, MN
Arizona Natural Health Center, AZ
Keystone Organic Certifiers, MN
Bethlehem Farmers' Market, PA
Bionutrient Food Association, CA
Rocky Environmental Action, PA
California Certified Organic Farmers, CA
Sweetwater Resource Conservation Association, NC
FCCC CA
Central Indiana Organics, IN
Centrolea Wine LLC, CA
Colorado Department of Agriculture (CDA), MA
Compost Capacity TX
Cuatro Puertas, NM
Ecological Farming Association, CA
Farmtrace CSA Coalition, MI
Farm2Table Co-op & Café, WI
Good Earth Natural Foods, CA
Grassroots Farmers' Cooperative, WI
Green City Growers, MA
Green Creations Landscape Services LLC, PA
Green State Solutions, IN
Hanover Co-op Food Stores of MA & KT, MA
Hawthorne Valley Farm Market, CA
Institute for Agroecy Marketing Education, IN
Kat Greene, CA
Lancaster Organic Association, IA
Iroquois Valley Farmland REIT, IL
Kanakos Dairy Farm, VT
KIS, Fresno, MD
Lancaster Farmers Association, MD
Maine Organic Farmers and Gardeners Association, ME
Maine Organic Milk Producers, ME
Maple Hill Creamery, NY
Michigan Organic Food and Farm Alliance, MI
Midwest Organic & Sustainable Education Service (MOSES), WI
Midwest Conservation Land Consulting LLC, VT
Minnesota Farmers Union, MN
Montana Organic Association (MOA), MT
MOSA Certified Organic, WI
Natural Grocers, CO
Naturally Way Resources, TX
North End Organic Nursery, CA
Northeast Organic Farmers Association Alliance (NOFAA), MA
Northeast Organic Farming Association of New Hampshire (NOFA-NH), NH
Northeast Organic Farming Association of Vermont (NOFA-VT), VT
Northeast Organic Farming Association-Interstate Council(NOFA-IC), MA
Northern Plains Sustainable Agriculture Society (NPSAS), ND
Nourishing Hope Foundation, CA
OFARM (Organic Farmers Agency for Relationship Marketing), MN
Ohio Ecological Food and Farm Association, OH
Ore Cart, Inc., NE
Oregon Organic Coalition (OOC), OR
Oregon Tilth, OR
Organic Advocacy, CO
Organic Association of Kentucky, KS
Organic Seed Growers and Trade Association (OSGATA), ME
Out There Coffee Co, OR
PeCo, CA
PCC Community Markets, WA
Pennsylvania Certified Organic (PCO), PA
Pikes Peak Farm to School, CO
Pioneer Valley Farmers Market, MA Charter Public School Sustainability Club, MA
Primus Auditing Gap, CA
Provender Alliance, OR
Red Organic Projects, VT
Revolution Rootbeers, L.L.C., NY
Rhizome Farm, CA
Road Harvest, VT
Sane Cat Sick, WV
Sebastian's Restaurant Farm, NE
Sebastopol Farmers Market, CA
Silver Fork Farm Shoes, NY
Sow Food Western Slope, CO
Spring Hill Farmers Market Cooperative, CO
Sonoma County Farm Bureau, CA
Spring Sunrise Natural Foods, IA
Straus Family Creamery, CA
Symes Land Design, LLC, MD
Texas Organic Farm & Garden Association, TX
The Brice Institute, TX
The Farm Market, MA
The Farmer Brett Company, OR
The Land Connection, IL
Upstate Niagara Cooperative, Inc., NY
Valley Organic Growers Association, ID
Vermont Agency of Agriculture, Food & Markets, VA
Western Organic Dairy Producers (WODPA), MA

International Organic Organizations (7):

BIO GLOBAL, BC, Canada
FOAM North America, USA, Canada, Mexico
International Organic Inspectors Association, Headquarters, USA
Network Farm Foods, BC, Canada
SOLAFIS Canada Foundation, BC, Canada
Sustainable Farming Association of Manitoba, Manitoba
United Certification Society, Pitanjaur, India

Farms (249):

Mountain Sun Farm, AL
Green Goat of Misty Mountain Farm, AR
Royal Berry Farms, AR
Sanctuary Farm & Rest House, AR
Alexandre Dairy, CA
Alexandre Farm, CA
Alexandre Family Farm, CA
Dellamondi Dairy Inc, CA
Full Belly Farm, CA
Galaxy Farm, CA
Hedgerow Farm, CA
Mathy Dairy, CA
McGrath Family Farm, CA
McKenny Orchards, CA
Cornerstone Farm, CA
Greenback Farms Director Farms, CA
For the People Seed Farm, CO
Lafayette Farmers Market, CO
Lafayette Vineyards, CA
Orchard Farm Farm, CA
Rocky Springs Vineyards, CA
Ramito Ruben, CA
Somerset Gourmet Farm, CA
Bucher Farms, CA
Ferguson, CA
Trinity land & Livestock Inc., CA & CW
Ecologia Ranch, CA
Mahal Ag LLC, CO
Nightbreak, CO
Ridgeline Farm Group LLC, CO
Black Fox Farm, LLC, CO
Sweet Bog Farm, CT
Just Organic Inc, FL
Community Meal Co., GA
JK Addenon, Inc., GA
N C Studios Farms, Inc., GA
Ohana Farms, GA
Bee Steam organic farm Co, HI
Andrew Winker Jr. Farm, IN
Jody Hemsath Farm, IA
Blueberry Bottom Farm, IA
David W Sargent Farm, IA
Maple Vale Dairy, IA
Nelson Dairy Farm, IA
Radiance Dairy, IA
Wells, Inc, IA
Bridgewater Farm, IA
Fantasy Farms, IA
Heritage Organic Acres, IA
Hudson Hill Farm, IA
Lone Oak, IA
Okahoja Organics, IA
Patchwork Green Farm, IA
Sandy Bludgen, IA
Magic Valley Organic Dairy, ID
Ferguson Farm, IL
Deedsey Farm, IL
Double Eagle Dairy, ID
Eagle View Dairy, ID
Fresian Farm, ID
Van Backstrom, ID
Mills Farm & Cattle Co., ID
Prairie Hollow Organic Farm & More, IL
Artist Farms, IL
Jolanda Buzas Dairy Farm, IL
Mint Creek Farm, IL
Cary E. McDonald/McDonald Farms, IL
Lily Lake Organic Farm, IL
Irene Rocky Road Dairy, IL
Jim Kaufman Farm, IL
Jamie Valley Organic Farm, IN
Dierking Ag, IN
Jonnson's Produce, KS
ReSpun Family Farm, KS
Kansas Farmers Union Farm, KS
Mum on the Meadow Farm, MD
Mt. Folly Farm, LLC, KY
Rolling Creek Organic Farm Inc, KY
Geels Cold, MA
Nelles Farm, MA
Good Soil Farm LLC, MD
Blackberry Farm, MN
Alvarado Farm LLC, MD
Abundant Grace Farms, MD
Milk and Honey Farm, MD
Three Farm, MD
Hoosier Rosetta Farm, MD
Grace Point Farm, MD
Ridge Farm Farm, MD
Wilhoard Farm, MD
Shawsgrant Dairy Farm, MD
The Wilkinson, MD
Wolf Farm Farm, MD
Neal Farm, MD
Wolfe's Neck Center, ME
Ford Farms, ME
Sherman Family Farm LLC, ME
Soco organic farm, ME
Nodding Thistle, NE
Sandhill Farm Farm NE
Ghisgrot Farms, NE
Blue Blue Farms, NNv
Ludwig Acres, NM
Mohn Dairy, MN
Robin & Karen Baldwin Farm Partnership, MN
Schoon Hoeve Place, MN
Ellis Farm, MN
Valley Organic Farm, MN
Allen Berg Farm, MN
Sebasopol Organic Farm, MN
Swan Wagn Farm, MN
Wolfe Farm Farm, MN
Fred Dunn Farm Beauty, MN
JPR Acres, LLC, MN
Shawsell Hill Farms, MN
Blue Heron Orchard, MO
Gallatarter Farm, MO
Wachta Farms, MO
Hoffman Farms Farm, MT
Doug & Lori Schmitt Farm, MT
Eva Hollow Farms, MT
Iron Heller Produce, NC
COOS County, NC
Green Life, LLC, NC
Rose Mountain Farm, NC
Wolfscraft Farm, ND
Michael Gagne, NE
Chad Christensen, NE
Mo-Cha Farms, NE
Rhea Brothers GP NE
Grassland Farm, NH
Hopkinton Farm Dairy, NH
Pleasant Farm, NH
Radian Dairy, NH
Fertile Fields Farm NH
Cornstalk Farm, NJ
Newbery Pastures LLC, NJ
Dancing Crow, NM
Old Hall Farm, NV/Canada
Casey dairy farm, NY
Lobdenstear Valley Farm, NY
Dewey Produce, Inc., NY
Heartview farm LLC, NY
Mckale Farm, NY
Ten Mile Farms, Dash, NY
Mueller Grass Farm, NY
Myer Farm, NY
Naturally Organic Realty, NY
Roadis Farm,Inc, NY
Rocky Top Acres LLC, NY
Tack Family Farm, NY
Thistle Hill Farm Farm, NY
Weiner Hollow Dairy, NY
Jo a Blessing Farm, NY
Sandy Creek Farm LLC, NY
Clearview Farm, NY
Cooperative Farmers, NY
Hodgins Harvest, RI
Rosewalk Farmers LLC, NY
Goldstar Hill Farm, NY
The Hopps Acres NY
Twin Oaks Dairy LLC, NY
Willow Feather Farm, NY
Wolfe Farm, NY
Bendal Farms, OH
Schmidt Family Farms, OH
Gaiola Brothers Farms Inc, OH
Turner Farm, OH
Irons A Dairy, OH
Gallagherpa Farm, OH
Hickory Hill Farm Farm, OH
Jordan Springs, OH
Jordan Gingerich Farm, OH
MO-HAPS, OH
Yoki Dairy, OH
Gingerich Farm Inc., OH
Friedbergen Organic Farms, OH
Yum Cat Farm, OH
Three Springs Farm, OH
Farmer Gene's Beets OH
Hiawatha Farm, OR
Redwing Farm, OR
Ridgeline, OR
High Ridge Farm, OR
Farrish Dairy, LLC, OR
Deschutes Canyon Farms, OR
Gentle Rain Farm OR
Leffels Conscious Farm Inc., OR
Medina dairy, OR
Mt Angel Farm, OR
Plum Thickets Farm, OR
Spring Ag Farm, OR
Ireland Organic Dairy, OR
Carl Graff Farm, PA
Dutch Farm, PA
Bird Ridge Farm, PA
Indiana Farm, PA
Lehigh Valley Organic Growers, Inc., PA
Provident Farms, PA
Swamp Hill Farm, PA
Lancaster Farm Fresh Cooperative, PA
Kimmelton Farm, PA
Wagner Farm and Education Center, PA
Lady Moon Farms, PA-FL-GA
Blue Star Farm, SC
3rd and Jasmine Foster Family Organic Dairy, SD
Hills Organic Farm, SD
SLNP Family, LLC, TN
Ashton Farm, TX
Greenleaf Farm, TX
Self Employed Milking Farm, TX
Long Hill Farm, TX
Tan Circle Meadows LLC, TX
Stock Family Farm, VT
Vermont Morning Farm, LLC, VT
Bear Mountain Farm, VT
Riverview Organic Farm, VT
Duck Mountain Maple, VT
Green Wood Farm LLC, VT
Long Wind Farm, VT
Vermont Farmstead Company VT
Greenhouse Orchard, WA
Northstar Nurseries, Inc., WA
Kore Eco Dairy, WA
Orkenland Farm, WA
Whitestone Mountain Orchard, WA
Ophelia Farms, WA
Wilson Farms, WA
Wallowa Family Farm, LLC, WA
Memorialdale LLC, WA
Olivers Nectarland Produce, WA
Dwenda Jensen LLC, WA
Dewey Hills Farm of Baldwin, WI
Fairfax Family Farm LLC, WI
Hillcrest Farm, WI
Grant Grove Farm, WI
Vondellen, WI
Sarah Grace Farm, WI

Homer Ridge Organic Dairy, WI
Hughes Farms, WI
Klefstad Natural Dairy, WI
Mark and Kim Mueller Farm, WI
Towlealen Farm, WI
Weiterman Farm LLC, WI
Whitefeather Organics LLC, WI
Full Harvest Farm LLC, WI
Belle Vue Dairy, WV
Thistle Ridge Farm, WV
Windspring Farms, Inc., WV

CC:
Deputy Under Secretary of Marketing and Regulatory Programs Mae Wu
National Organic Standard Board

To read more about the Origin of Livestock Rule, below are links to past blog posts on OFA action to call on USDA to finalize OOL
June 2020 Letter to USDA regarding missed rulemaking deadline last June. https://organicfarmersassociation.org/news/usda-misses-ool-deadline/
Dec 2019 OFA Comments to Rule https://organicfarmersassociation.org/news/origin-of-livestock–comments-submitted-to-the-nop/
Oct 2019 Action Alert & Background https://organicfarmersassociation.org/news/press-release-origin-of-livestock-rule/
Oct 2019 Short update on Rulemaking https://organicfarmersassociation.org/news/october-policy-update/

Join today and direct our policy priorities!

All members receive great benefits like a strong organic farmer voice in Washington, D.C., webinars, and regular policy updates.

FARM MEMBERSHIP

U.S. certified organic farmers should select this membership. Only farm members are eligible to vote on Organic Farmers Association policy positions and priorities. International farmers, or farms that are not certified organic, should select the Supporter Membership.

Join now

SUPPORTER MEMBERSHIP

Not a certified organic farmer, but want to support the organic farmers that make our planet a better place? Supporter members will be connected to the discussions about policies that affect organic farmers, and be called to advocate on their behalf.

Join now

ORGANIZATION MEMBERSHIP

Organizations that have a significant membership (or stakeholders) of certified organic farmers should select this membership. Organization Members receive periodical surveys on issues and policies important to organic farmers.

Join now

ORGANIC FARMERS ASSOCIATION

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202-643-5363
info@OrganicFarmersAssociation.org

About the Organic Farmers Association

In 2016 farmers from across the country came together to launch the Organic Farmers Association (OFA) to unite organic farmers for a better future together. In 2020, OFA gained its 501c5 nonprofit status. Rodale Institute supports this initiative as fiscal sponsor and partner with OFA's farmer leadership.

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