



Office of the Lieutenant Governor
The State House

115 State Street , Montpelier, VT 05633
802-828-2226
www.ltgov.state.vt.us

David Zuckerman, Lieutenant Governor

December 15, 2017

Dear Attorney General Donovan and Secretary Tebbetts,

I am writing you because I am concerned about the USDA's National Organic Program (NOP) and recent actions taken by the NOP's National Organic Standards Board (NOSB) – specifically, its recent vote to not prohibit hydroponic production from organic certification. As background, I am enclosing a letter written by Jim Riddle, an organic farmer and Chair of the Minnesota Organic Advisory Task force. It perfectly explains how the recent vote by NOSB is in violation of the federal law and its rules.

For background, many of you know that I am an organic vegetable, pork and chicken farmer. My commitment to organic production started over 20 years ago.

The core issue for me is about consumer protection and integrity. The National Organic Program was created with the intention of establishing uniformity across the country as to what the term "Organic" means. That was especially important to consumers and large food processors, because generally speaking, organic producers already knew what the term meant. But now, a number of enterprises new to the organic community, perhaps motivated more by economic gain than by a sense of the triple bottom line of people, planet, and profit, have pushed for (and received) changes to the rules that threaten to water down the meaning of "Organic." The organic farmers that I know, many of whom have been in the business for more than 30 years (i.e., before the NOP), are deeply concerned that "Organic" has lost meaning, purpose, and integrity.

We contend that some of the organic standards, as well as the NOSB enforcement of the standards, do not comply with either the law, or the intent of the law. The list includes:

- Bovine pasture access
- Egg production practices
- Animal husbandry, and most recently
- The allowance for hydroponic production to be labeled as "Organic"

As you can see from Mr. Riddle's letter (attached), there are some real legal questions with respect to this final bullet (as there may be with the other items, but I am not as familiar with those aspects). The organic growers I know strongly believe that soil is at the heart of organics, and they are concerned that savvy business people are using their political leverage to change the interpretation and enforcement of the law and its rules to fit their economic ends while deceiving consumers.

I am writing to ask you to consider looking into whether you are willing to discuss joining in a lawsuit against the NOSB for violating the law. I know of other AG's and Ag Commissioners/Secretaries who are



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considering such actions and I know I speak for many Vermont producers when I say there is very serious interest in this at the Vermont grower level.



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Vermont has been and continues to be a national leader in various aspects of organic production, including production practices, moral leadership and integrity. My understanding is that Senator Leahy recognized this when he sponsored legislation in the early 90's that ultimately resulted in the NOP. It is time for Vermont to live up to that reputation and stand up for both Vermont's farmers and all consumers who value the traditional meaning of the term "Organic." We do not want the standard changed to simply broaden its financial appeal to corporate growers or lower costs to consumers when the possible consequences allow for less holistic practices. We believe that the NOP's focus should be on promoting healthy, soil-based agricultural production systems. Lowering the standard for organic food production may appear to create access to such food, but is actually very misleading. We feel that reducing the standards creates a disconnect between what consumers think they are paying for versus what they are actually getting. This is neither ethical nor right.

I look forward to hearing from you. Thank you for your time in light of all of the other very important issues that are swirling around.

A handwritten signature in blue ink that reads "David Zuckerman".

Lt. Governor David Zuckerman