

November 16, 2007

Mr. Chuck Conner  
Acting Secretary of Agriculture  
USDA  
1400 Independence Ave, SW  
Room 200-A  
Washington, DC 20250

202-720-3631

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Dear Mr. Conner:

We the undersigned are pleased to have the opportunity to submit comments concerning the U.S. Department of Agriculture (USDA) Agricultural Marketing Service's (AMS) recent enforcement activity. We applaud the National Organic Program's (NOP) efforts to revoke the certification of an operation with fourteen (14) 'willful violations' of the National Rule, and as such are extremely troubled by the seemingly political outcome of recent investigations and the damage that may accrue to the USDA organic label. We are also extremely concerned that any precedent set by the agreement may lead to similar results with other cases. The signing of a Consent Agreement, without a clear and public explanation, erodes consumer and producer trust in the USDA, and hinders proper development of the organic food supply.

The laws governing organic agriculture are based on integrity, trust, and transparency, which require effective and reliable enforcement. We believe the USDA should increase transparency in its enforcement process with special attention towards any operation, large or small, that does not uphold OFPA and the NOP regulations. Therefore, we support a thorough and complete investigation into the practices and procedures of the USDA's compliance and enforcement activities and those of their authorized certifying agencies.

The trust the American public has bestowed upon the USDA, and the faith the public places in the USDA organic label, may be seriously jeopardized by enforcement decisions lacking clear explanations of justifications. The Organic Food Production Act of 1990 was written on a scale neutral basis, and all facets of the National Organic Rule, and its enforcement, are intended to be scale neutral. The message sent by recent decisions has the potential to undermine the future of organic agriculture in the United States. Producers and consumers alike may look for an alternative to organic certification, as many producers have already done.

The National Rule must be administered with the same integrity with which it is written, or it will eventually become meaningless. One of the hallmarks for enforcement of the Rule is transparency, which appears, at times, to be absent within the USDA. To avoid similar situations in the future, and to stop the erosion of the public's trust, we suggest the USDA take all necessary measures to increase the transparency in its enforcement process.

While the undersigned are active members of the USDA National Organic Standards Board, we are not commenting on its behalf, but on behalf of all genuinely concerned organic consumers, industry advocates and citizens invested in maintaining organic principles. We appreciate the USDA's consideration of these comments, and wish the NOP personnel the best in their continuing efforts to uphold the trust the public has placed in the Program. The future of the organic marketplace depends upon the credibility of the decisions we make today.

Sincerely,

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Nichols, NY

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